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To

THE GENEROUS SPIRIT OF

HENRY CLAY FOLGER

AND

HENRY ELLSWORTH HUNTINGTON

WHOSE GIFTS OF MAGNIFICENT SHAKESPEARE LIBRARIES

TO THE ENGLISH-SPEAKING WORLD

HAVE STIMULATED SHAKESPEAREAN RESEARCH ANEW

THIS WORK IS

GRATEFULLY DEDICATED



PREFACE

WHEN, in 1923, Henrietta C. Bartlett issued her authoritative collation of the original printed Shakespeare materials in her *Mr. William Shakespeare*, she asserted: "No attempt has been made to touch the manuscript sources." Textual criticisms and esthetic estimates of Shakespeare's plays and poems have been issued in vast amounts; but the rare original documents, as they exist in their present several repositories in both England and America, have received correspondingly scant attention. Ingleby, Smith, and Furnivall (1874), and Munro (1909), and others, with painstaking care, collected and published the contemporary references and allusions concerning the great English dramatist; and Sir Edmund K. Chambers reissued their *The Shakespeare Allusion-Book* in two volumes in 1932. The indefatigable Augustus Ralli accumulated the mass of Shakespearean criticism to be found in several languages, made an admirable digest of it, and published it, in 1932, as a two-volume *History of Shakespearean Criticism*. William Jaggard, in 1911, and Ebisch and Schücking, in 1931, issued each a comprehensive bibliography of the printed Shakespeare materials under the caption *Shakespeare Bibliography*. Critical studies in the personal and literary biography of the great poet, of which *A Life of William Shakespeare* (1923) by Joseph Quincy Adams remains to date the most authoritative and most sympathetic, have appeared in number. Up to the present time, however, no critical and organic study of the corpus of the original documents relating to the dramatist William Shakespeare has been published.

One is not unmindful, however, that from time to time there have been commendable studies of some of the rare original Shakespeare documents, singly or in groups. Edmund Malone's critical transcripts of some of the manuscript sources then known were printed in his 1790 edition of Shakespeare's plays and in his third *Variorum* of 1821. J. O. Halliwell, in his 1848 *A Life of William Shakespeare*, included an additional number and later as Halliwell-Phillipps published in his *Outlines of the Life of Shakespeare* (issued in 1882; numerous reprintings up to 1911) still more of the rare original materials. Halliwell-Phillipps, it will be remembered, was not an expert in Elizabethan paleography, nor did he execute his own transcriptions. He has rendered, of course, noteworthy service to Shakespearean scholarship. Many of the volumes dealing with the documents which have appeared since the activities of Halliwell-Phillipps have been based largely upon his

work and, following him, have been concerned with only those portions which deal directly with Shakespeare, instead of presenting the documents *in extenso*, as is desirable for serious dealing with documentary evidence. Thus, in 1904, appeared D. H. Lambert's now antiquated *Shakespeare Documents*; in 1926, appeared Tucker Brooke's exemplary little volume of its kind, *Shakespeare of Stratford*; and, in 1930, Pierce Butler published his selected *Materials for the Life of Shakespeare*. In 1930 appeared Sir Edmund K. Chambers' encyclopedic two-volume *William Shakespeare*, in which there is a mass of authoritative information relating to many and various phases of Shakespeare and his work. Here again, however, the texts are not in every instance given *in extenso*. One cannot be unmindful, too, of the special research in the original documents conducted and reported recently by scholars, in particular that of Charles William Wallace, the value of whose discoveries has been too negligently and too grudgingly recognized. Since the time of Malone and Halliwell-Phillipps, valuable documentary materials have been unearthed. In this work, the manuscripts have been brought together in a compact and organic whole.

Here are presented the rare original Shakespeare documents (a) in new and original transcripts, (b) with English translations of the often difficult Renaissance Latin, (c) printed not as short excerpts but *in extenso*, (d) arranged in chronological order, and (e) critically edited. Generally, material relating only to those poems and plays which were actually printed during the dramatist's natural lifetime has been included. Finally, (f) extensive critical bibliographies are appended to each important documentary discussion.

These new transcripts are as far as possible original, independent, and prepared directly from the actual manuscripts in their several repositories and from full-size photographs executed especially for this undertaking. The conventionally abbreviated words in the Latin legal documents, as well as some others similarly abbreviated, have been spelled out in full, with the necessary added letters usually enclosed in brackets. These transcripts have been collated with virtually every other published transcript; but the variations in minutiae, except in necessary instances, have not been listed in the footnotes for the reason that there would have resulted all too much material and for the additional reason that most of the other transcripts are available for critical comparison in printed volumes. To those to whom the uncertain and abbreviated legal Renaissance Latin

is not altogether familiar, the accompanying modern legal English translations will be welcome. For both the original transcripts and the English translations, though he accepted generously of suggestion and aid from many legal and linguistic specialists, the present editor assumes the full burden of responsibility.

The critical editing has been undertaken out of consideration of the fact that all too long there has been urgent need of such treatment of the rare Shakespeare documents. Excellent editing has already been achieved in a few instances, but the entire corpus has not hitherto received sustained critical consideration.

William Shakespeare took the impress of his age. He was in no sense a thing apart from his time. The present editing, consequently, comprises, in one way or another, (a) the legal nature of the document, (b) its historical-political background, (c) religious factors, (d) family considerations, (e) racial inheritance, (f) literary and theater tendencies, and (g) biographical significances. Paleographical details and discussion have been included only when needed for clarity and for the justifying of a given transcript reading.

The facsimiles of the rare original manuscripts included in this work are the product of special expert care and skill. The often crudely contrived old handwrought iron "chist" in which, generally, important family documents were secretly kept and the large amount of private handling accorded such manuscript materials were not conducive to the preservation of documents in excellent condition. Elizabethan legal instruments were choice, private, and intimate family possessions proudly handed down from generation to generation. Family "chists" and their documentary contents are sometimes mentioned in old Elizabethan wills. Some of the items here included were once probably in the actual personal possession of William Shakespeare. In their present condition, creases, folds, breaks, holes large and small, abrasions of the script, fading of the ink, lacunae, general deterioration of given parts, and other blemishes sometimes render them very difficult to decipher. Not infrequently the originals, especially those on paper, are so fragile that they cannot be subjected to direct handling even by those most expert in examining rare old manuscript materials.

In a goodly number of instances, imperfections and blotches were screened out in the photographic processes so that the handwriting beneath them was brought into view. This may not be wholly unwelcome to the students unfamiliar with Elizabethan paleography and with the imperfections common to original old documents. Time, skill, expense—not one of these has been spared in the endeavor to provide faithful and clear photographs of the original manuscripts for reproduction here. Actually, most of these facsimiles because of skilled scientific photography are more revealing than their rare originals.

An experienced English scholar once described the Shakespeare documents as "a Chinese puzzle of a multitude

of disconnected facts—sometimes indecipherable scraps—with many regrettable lacunae." Their several Gothic scripts, varying from beautifully executed results to crude scrawls, and their uncertain and abbreviated spellings and unfamiliar and sometimes repetitious legal formulas in many instances make their transcription and interpretation extremely difficult. The Latin employed in these manuscripts more than once bids absolute defiance to correct grammatical construction. Of course the trained classical scholar unfamiliar with Renaissance Latin should not expect to find "choice Tully every word" in these legal instruments. In the main, however, the general intent of each document as a whole is clear—and the intent was what any English court was concerned with in the event of litigation. In this work a physical description of each manuscript is given, and its present repository is indicated. Acknowledgments are made likewise of the several permissions to consult and to work directly with the originals and, in given instances, to execute full-size photographs to reproduce the document in facsimile. Granted that critical editing of Shakespeare manuscripts is not free from well-nigh insurmountable obstacles, paleographic and other, investigators and students must employ them in their further endeavors. The obstacles to scholarship are but a challenge to provoke further achievements in so important a field as that of Shakespearean research.

No one, certainly in the field of Shakespeare study, ever achieves alone. To that goodly number of investigators who long since have done their work the compiler is deeply indebted. To the more recently contemporary his gratitude is likewise immense. It is, accordingly, both an opportunity and a pleasure to acknowledge personal kindness and obligation, sometimes indirect but more often direct, to Mrs. C. C. Stopes, Sir Sidney Lee, the Rev. Edgar I. Fripp, Alfred W. Pollard, Sir Edmund K. Chambers, Dr. W. W. Greg, Professor John Dover Wilson, Dr. R. B. McKerrow, Mr. Arundell Esdaile, Mr. J. P. Gibson, Mr. J. L. Douthwaite, Mr. M. S. Giuseppe, Dr. Charles Singer, Professor Charles William Wallace, Dr. J. Leslie Hotson, and others—their number is legion. Especial acknowledgment for consideration beyond what anyone can well state is due the several obliging and scholarly men at the British Museum, Somerset House, the Public Record Office, the Guildhall Library, the College of Arms, the Bodleian Library at Oxford, Trinity College Library at Cambridge, the John Rylands Library at Manchester, the Birmingham Free Public Library, and the National Library of Wales at Aberystwyth. To Mr. Frederick C. Wellstood, of the Birthplace Museum at Stratford-on-Avon, for his never-failing kindness, appreciation is gratefully extended.

Still more intimate and still more directly personal is one's obligation to those several American scholars who have graciously and actively encouraged and supported this undertaking. The rich and very rare printed volumes and the unique original documents at both the Huntington Library and the Folger Shakespeare Library were most generously

placed at the compiler's disposal. Especial appreciation of cordial and critical aid is due to Captain R. B. Haselden, curator of the rare manuscripts, and to Mr. Robert O. Schad, curator of the rare books, at the Huntington Library; and likewise to Dr. Giles E. Dawson, in charge of the reading room, and to Dr. Joseph Quincy Adams, director of research, at the Folger Shakespeare Library. The courtesy of officials and special bibliographers of the Library of Congress and of the United States Surgeon General's Library in Washington, D.C., deserves grateful mention. And Dr. Samuel A. Tannenbaum has furnished expert advice concerning Elizabethan paleography. Finally, Miss Helen Gibbs, under the direction of the Stanford University Press and in co-operation with its regular staff, has admir-

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One source of aid merits even heartier appreciation. To President George Thomas, and likewise to the Board of Regents of the University of Utah, the compiler is indebted for secretarial service and for funds and sabbatical leaves for research at the several Shakespeare repositories in both England and America.

B. ROLAND LEWIS

THE SHAKESPEARE LABORATORY
THE UNIVERSITY OF UTAH
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REPOSITORIES OF SHAKESPEARE DOCUMENTS

(This list of the principal repositories in which Shakespearean documents may be found is alphabetically arranged. Documents transcribed in this work are listed by document number under the repository in which each may be found.)

ABINGTON PARISH CHURCH

Document 276

BELVOIR CASTLE

Document 232

THE BIRMINGHAM FREE PUBLIC LIBRARY, *Birmingham, England*

This library has a good collection of printed material relating to Shakespeare. Its chief manuscript possessions are the John Jordan manuscripts, which, in part at least, appear to be forged. Among these are (a) the ballad on Sir Thomas Lucy, supposedly written by the youthful Shakespeare, (b) the Spiritual Last Will and Testament of John Shakespeare reputed to have been found under the tile roof of the Birthplace property, and (c) the poem alleged to have been written by Shakespeare in consequence of the drinking spree at Bidford. An index to the Birmingham Free Public Library was published in three parts, 1900-1903, by A. C. Shaw.

BIRMINGHAM EPISCOPAL REGISTRY, *Birmingham, England*

Document 183

BIRTHPLACE MUSEUM, *Stratford-upon-Avon*

Documents 1, 6, 8, 15,* 28, 29, 65, 66, 105, 107, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 139, 162, 167, 181, 182, 192, 193, 194, 195, 196, 197, 198, 213, 214, 215, 234, 235, 236, 265

The Birthplace Museum is rich in local materials relative to the dramatist and his family. Its collection of documentary materials is unique. Its most recent (1925) *Catalogue* lists many of the more important rare possessions but is by no means all-inclusive. The collection contains some 30,000 manuscript items. Roman materials from the recent excavations of ancient Roman Stratford

have recently been housed at the Birthplace. The Wheler manuscript papers are here. The collection comprises copies of the Folios and copies of a number of the Quartos, among which is a set of the 1619 Pavier Quartos. The Birthplace Museum also houses a goodly number of rare items belonging to the Stratford Corporation. Here, too, is an excellent collection of early prints and paintings of the Birthplace and of other items of interest.

THE BODLEIAN LIBRARY, *Oxford University, Oxford, England*

Documents 157, 164, 228

The Bodleian Library among the English repositories is second only to the British Museum in Shakespearean items. As to both Folios and Quartos, it merits consideration. Its rarest possessions are the one remaining copy of the 1593 first edition of *Venus and Adonis*, in virtually perfect condition, and the Turbutt copy of the First Folio. Likewise the Bodleian has a unique copy each of the 1617 (9th), 1630 (12th), and 1630 (13th) Quartos of *Venus and Adonis*. Another of its rare possessions is the unique 1612 (3d edition) of *The Passionate Pilgrim*, with two title pages, one of which has Shakespeare's name on the page and the other does not. The Edmund Malone collection was secured in 1812 for this repository. The Rawlinson manuscripts are here and likewise the Ashmolean manuscripts. The Rawlinson manuscripts have the unique *The Pilgrimage to Parnassus* and *The Returne from Parnassus, Part I*, and also the William Hall letter (1694) which comments on Shakespeare's epitaph in the Stratford Parish Church; and the Ashmolean manuscripts contain the Diary of Dr. Simon Forman. The Aubrey manuscripts are here. The Ireland forged Shakespeare's Farewell Letter, "written twenty minutes before he died," is in the Bodleian Library.

THE BRITISH MUSEUM, *London, England*

Documents 156, 231

The British Museum, in items Shakespearean, is rivaled only by the recently founded Folger collection. It has a

* From Council Book A, p. 25, lent by the Mayor and Corporation of Stratford-upon-Avon. See Wellstood's *Catalogue*, No. 24.

wealth of both manuscript and printed volumes. The Museum's copy of the First Folio, the Greville copy, is one of the finest copies known. In 1779 the Museum acquired the Garrick collection of Shakespeare materials. The Egerton manuscripts repose here. Likewise it has the Harleian manuscripts, among which is MS 7368, *The Booke of Sir Thomas More*, thought by some to contain sixteen lines in the handwriting of William Shakespeare. The William Oldys manuscripts are a part of the Harleian manuscripts. A large number of the original Ireland forgeries are in the British Museum—among which are a "love poem" by Shakespeare to Anne Hathaway, a "Catholic Confession of Faith" of William Shakespeare, and a complete "manuscript" of *King Lear*. Here also is one of two copies of *Hamlet*, 1603.

THE CARLTON RIDE RECORD OFFICE

Document 40

THE COLLEGE OF ARMS, London

Documents 101, 102, 144, 165, 166

CORPUS CHRISTI COLLEGE, Oxford University, Oxford, England

Document 161

DULWICH COLLEGE, Southwark, London

A goodly number of J. Payne Collier forged documents repose at Dulwich College. Most of the Edward Alleyn manuscript materials are here. In Alleyn's Diary, Collier injected some forged notes: these in their original form may be seen today in Dulwich MS IX.

THE EDINBURGH UNIVERSITY LIBRARY, Edinburgh, Scotland

Here reposes one of the only two known copies of the second quarto of *Titus Andronicus* (1600). The other, the Bridgewater copy, is in the Huntington Library.

THE FOLGER SHAKESPEARE LIBRARY, Washington, D.C.

Documents 36, 37, 41, 42, 43, 44, 45, 163, 229, 230, 250

The Folger collection of manuscripts, documents, and printed volumes relative to Shakespeare is certainly the finest of its kind in the world. At the Folger Library, in addition to the rare documents listed above (manuscripts on New Place, the Blackfriars purchase, and Ralph Brooke's "attack" on Shakespeare's coat of arms) are the original manuscript notes, letters, etc., of the Rev. Joseph Greene and some of the correspondence of the Rev. James Davenport with Malone. Here, too, are a large number of commonplace books and a very generous assemblage of Shakespeare allusion materials. Here are many original manuscripts relating to (1) the Hathaway family, (2) the Clopton family, (3) Sir Thomas Lucy, (4) many Shakespeares of the seventeenth and eighteenth centuries, (5) the Earl of Essex, (6) Francis Bacon, (7) the Hart family,

and others. Here are seventeenth-century manuscripts of *Henry IV* (Dering MS), *The Merry Wives of Windsor*, and a manuscript of *The Returne from Pernassus, Part II* (1601). Here are manuscript letters of Queen Elizabeth, Southampton, Bacon, and others. Henry C. Folger, before his death, had secured virtually the entire Halliwell-Phillipps' collection of rarities of both original Shakespeare documents and printed volumes. He secured also a goodly number of the Warwick Castle manuscripts and volumes. Most of the J. Marsden Perry collection and some of the rare items of the W. A. White collection are now Folger possessions. Some of the original Ireland forgeries are here also.

The Folger collection has a generous and a very excellent selection of original Elizabethan music. The "Unique Proof" of the Droeshout engraving is in this repository, a reproduction of which appears as the frontispiece to this volume. Here, too, are David Garrick's letters, more than six thousand prompt books of the noted actors (Garrick, Kean, Macready, Irving, Terry, and others) of Shakespeare plays, and some two hundred paintings of the dramatist and of Shakespearean actors. Here also are thousands of autographs connected with the Shakespeare plays and stage—the Cibbers, Macklin, Mrs. Siddons, Mrs. Jordan, the Kembles, Macready, Kean, Phelps, Forrest, Helen Faucit, the Booths, the Barretts, Irving, Terry, Rehan, Drew, Sothorn, Marlowe, and others, and some six thousand letters of Augustin Daly.

The Folger collection is equally rich in rare Shakespeare printed volumes. Among its unique treasures are (1) the 1594 Quarto 1 of *Titus Andronicus*; (2) the 1600 Thomas Middleton's *The Ghost of Lucrece*; (3) the 1600 Robert Armin's *Foole vpon Foole*; (4) a four-leaf fragment of a quarto of *Henry IV, Part I*, which presents variants from the 1598 quarto; (5) the 1619 Pavier Quartos in the Edward Gwynn single volume; (6) the Burton volume containing *Venus and Adonis*, *Lucrece*, *The Passionate Pilgrim*, and *The Ghost of Lucrece*; (7) a copy of Quarto 1 of *Pericles* (1609) in its original paper wrapper; (8) three copies of the 1594 *Lucrece*, one of which, the W. A. White copy, is the very finest known. Of *Lucrece*, the Folger Library has a third, a sixth, a seventh, and an eighth octavo. It has each of the first quartos, except the 1603 *Hamlet* and the 1598 Quarto 1 of *Richard II*. Here are three 1604 *Hamlets*, two 1609 *Sonnets*, and a rare third quarto *Pericles* (1611). Here too are more than five hundred thousand playbills of Shakespearean performances. There is a very rich collection of individual editions of plays: about 800 of *Hamlet*, 500 of *Macbeth*, 400 of *Romeo and Juliet*, and 400 of *The Merchant of Venice*. Folger has quantities of the important collected editions of the great dramatist: Rowe, Pope, Theobald, Hanmer, Warburton, Steevens, Johnson, Malone, Dyce, and others. The Folger collection of the folios is the choicest single one in existence: 79 copies and many fragments of the First Folio, including the Bur-

dett-Coutts, the Jaggard-Vincent, the Killigrew, and others; 58 second folios; 24 third folios; and 31 fourth folios.

The printed Shakespeare items in the Folger collection—the collection is virtually limited to Shakespeare and not devoted to the entire field up to 1640—comprise between 75,000 and 80,000 volumes. Some of these volumes have manuscript notes, including (1) Theobald's 1750 edition with Thomas Gray's notes, (2) Hanmer's 1770-71 second edition with Mrs. Siddon's notes, and (3) Coleridge's copy of Shakespeare's works with the Lake Poet's notes, and other items. There are also several thousand translations of the poet's works into foreign languages.

THE HUNTINGTON LIBRARY, *San Marino, California*

Document 259

The Huntington Shakespeare materials are supported by a large and valuable collection of items on English literature up to 1640. Here is the unique *The Taming of a Shrew* (1594); and here is the unique 1599 *Venus and Adonis* (5th edition) for which Henry E. Huntington paid £15,000 (approximately \$75,000). Huntington possesses one of the rarest of rare Shakespeare First Quartos, the 1603 *Hamlet*. The Bridgewater, the Devonshire, and the Halsey Shakespeare collections are now in the Huntington repository. The more important J. Payne Collier forgeries of Shakespeare documents are here, as is likewise the Perkins ("Tho Perkins, his booke") Second Folio with its marginal notes forged by Collier. Some Ireland forgeries are also in the collection, one of which is a lock of hair allegedly from Anne Hathaway's own head. Of the four First Folios at Huntington, the Devonshire (Chatsworth) copy is the finest. Its Second, Third, and Fourth Folios are noteworthy.

THE MALDEN CATHEDRAL LIBRARY, *Malden, England*

The Plume MS 25, which describes the personal appearance of John Shakespeare, is in this repository.

THE PUBLIC RECORD OFFICE, *London*

Documents 5, 18, 19, 24, 26, 31, 38, 39, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 67, 99, 103, 104, 111, 127, 128, 129, 130, 131, 168, 169, 170, 171, 176, 177, 178, 179, 180, 211, 212, 217, 218, 219, 220, 221, 222, 224, 225, 226, 237, 238, 239, 241, 242, 243, 244, 268, 269

The Public Record Office is, of course, the chief treasure house of historical documents. Here are the *Coram Rege* Rolls, the Common Pleas Rolls, the Court of Controlment Rolls, various and sundry accounts, official records relative to taxes, fines, *Visi Franci Plegii*, etc. The manuscripts concerning the Belott-Mountjoy suit in which Shakespeare was a witness are in this repository. Here too are the Revels Accounts held by Tannenbaum to be a Collier forgery.

ST. SAVIOUR'S CHURCH, *London*

Documents 185, 186

SOMERSET HOUSE, *London*

Documents 69, 240, 260, 275

At Somerset House may be found many of the wills of the Elizabethan period which had been entered for probate in the Prerogative Court of Canterbury. Here are William Shakespeare's will, and those of John Hall, John Combe, Richard Hathaway, and others.

STATIONERS' HALL, *London*

Documents 79, 80, 81, 82, 83, 85, 89, 90, 91, 94, 97, 120, 121, 123, 125, 126, 135, 136, 138, 145, 146, 148, 150, 152, 153, 159, 174, 175, 190, 202, 203, 204, 207, 208, 252, 255

From a Shakespeare point of view, the prize possession of the Stationers' Hall is the manuscript register of the Stationers' Company. In it are individual script entries for many of Shakespeare's plays.

THE STRATFORD-UPON-AVON CORPORATION, *Stratford-upon-Avon*

Documents 3, 4, 7, 9, 10, 11, 12, 13, 14, 16, 17, 20, 21, 22, 23, 25, 264

The choice and rare manuscript of the "Minutes and Accounts" of the Corporation of Stratford-upon-Avon is a possession of the local corporation. Entered at their several times by the incumbent Town Clerk, these documentary materials provide a virtual history of the civic and political life of Stratford-upon-Avon. In these entries is found most of the documentary biographical evidence relative to John Shakespeare. The large parchment "Charter" of 1553 is the Corporation's chief possession.

THE STRATFORD-UPON-AVON PARISH CHURCH, *Stratford-upon-Avon, England*

Documents 46, 47, 48, 49, 50, 51, 52, 64, 68, 73, 74, 100, 155, 184, 187, 191, 216, 227, 245, 247, 248, 249, 253, 256, 257, 258, 261, 262, 270, 271, 272, 273, 274

The manuscript registers (christenings, burials, marriages) of the Stratford Parish Church are in the official custody of this Church. The monumental and epitaphal inscriptions of William Shakespeare, Anne Hathaway, John Hall, Thomas Nash, and Susanna Hall are in this edifice.

TRINITY COLLEGE, *Cambridge University, Cambridge, England*

Trinity College has an excellent collection of Shakespeare items some of which are unique—the 1620 (12th) edition of *Venus and Adonis* and the 1598 (2d) edition of *Lucrece*. Trinity College has the famed Edward Capell (1779) collection of Shakespeare materials.

WARWICK CASTLE, *Warwick, England*

Document 27

Some of the Greville manuscript materials are at Warwick Castle.

THE WORCESTER EPISCOPAL REGISTRY, *Worcester, England*

Documents 2, 32, 33, 34, 35, 70, 71, 72, 233, 246

This Registry contains many documents relative to local church and religious activities in Elizabethan times.

THE YALE UNIVERSITY LIBRARY, *New Haven, Connecticut*

The Elizabethan Club of Yale prides itself on its collection of Quartos.

For an excellent listing of the repositories of printed Shakespeare materials, see Henrietta C. Bartlett, *Mr. William Shakespeare* (1923), pp. xxv-xxviii; and especially for the several extant Shakespeare quartos, see Henrietta C. Bartlett, *A Census of Shakespeare's Plays in Quarto, 1594-1709* (1939).

The
SHAKESPEARE
DOCUMENTS



I

THE NAME SHAKESPEARE

THE earliest Shakespeare documents are those in which the family name occurs. The idea of shaking a spear, of brandishing a spear, of flourishing almost any spear-like weapon, is so common among the several peoples of the world who have ever approached and passed through the epic state that "shake-spear," "shake-shaft," "break-spear," or some such generic military term is to be found in virtually every extant epic-like literary utterance. Homer's *Iliad* and the English *Beowulf*, as every scholar knows, provide plentiful examples. The scholia long have employed the several formulas as stock in trade. Even among the ancient Hebrews—the idea of a warrior's brandishing his spear occurs not infrequently. The passage in Job (41:29) in the English translation appears thus:

He leaureth at the shaking of a spear.

In the *Brut* of Layamon the valiant old earls of Britain are described as leaping to the backs of their horses and thus savagely defying the oncoming Roman warriors:

Heo scaeken on heore honden speren
swithe stronge.

Etymologists have been fully aware of such origins of patronymics, of family names, and even of personal names. Richard Verstegan (*A Restitution of Decayed Intelligence*, 1605, p. 294) phrased the folk custom thus: "Breakspear, Shakespear, and the like, have been names imposed vpon the first bearers of them for valour and feats of arms." The famed antiquarian, William Camden, of College of Heralds renown, merely restated the prevailing custom and idea when he

wrote (*Remaines concerning Britaine*, 1605, p. 111): "Some are named for what they commonly carried, a *Palmer*, that is pilgrim, for that they carried palme when they returned from Hierusalem; *Long-sword*, *Broad-spear*, *Fortescue*, that is, Strong-shield; and in some such respect, *Break-spere*, *Shakespeare*, *Shotbolt*, *Wagstaffe*." Francis Rous (*Archaeologiae Atticae*, 1637) declared: "The custome first παλλειν (*pallein*), to vibrate the spear before they vsed it, to try the strength of it, was so constantly kept, that ἐνχέσπηλος (*enchespalos*), a *Shake-speare*, came at length to be an ordinary word both in Homer and other poets, to signifie a Soldier." If the word "shake-spear" was not itself employed, then the action of the charging warrior was described in much the same terms. As late as Spenser's *Faerie Queene* (Book IV, Canto iii, stanza 10), there appears:

He all enraged his shivering spear
did shake,
And charging him afresh thus fully
him bespake.

The variations of the descriptive epithet for a fierce, challenging warrior in the several literatures of the world need not be further illustrated here, for every student of epic literature is familiar with them. In every land and in every clime they have become fossilized: Shaftsbury, Hildebrand, Spearpoint (there was a family of this name in Stratford), Longshanks (Edward VII), Breakspear (Nicholas Breakspear became Pope Urban IV), and Longsword (name of the Earl of Salisbury) are commonplaces. Once, however, each was no doubt attached to an individual as a complimentary and descriptive epithet. William, Earl of Salisbury—according to the metrical romance of Richard Cœur de Leon

a natural son of Henry II by the fair Mistress Rosamond—was accorded the name "Longue-espée" in consequence of his gallant exploits at the siege of Messina conducted by Richard I when on the way to the Holy Land. The patronymic Shakespeare is one too frequently recurring—in widely separated communities and among different families who have no blood relation to each other—to warrant any arbitrary insistence that the name derives etymologically from some one single family or from some earlier or some foreign linguistic form.

A few other suggested origins of the name may be cited. Those wholly absurd, because they are characterized by an utter lack of scholarly knowledge of philology and sound changes in language, need not be mentioned.

Professor Henry Bradley, aiming to set forth a humble origin of the dramatist's name,¹ proposed the derivation from the Anglo-Saxon personal name *Seaxberht*. For comparison, he cited *Winfarthing* as deriving from *Wine-fearhth* and *Allfarthing* as coming from *Ealhferhth*. Thus, from *Seaxberht*, according to Bradley, *Shaxberd* becomes the later and nearest representative of the original Anglo-Saxon form. This result, however, does not appear to be altogether in accord with normal linguistic change. West Saxon *seax* would not yield *sh* under normal conditions, certainly not over wide areas, whatever the highly individual case. The syllable *berht* would not naturally develop into *bere* and still less into *pere*. The linguistic tendency would be toward the dental forms *bright* and *birth*, which do not appear in any of the "Shakespeare" spellings. The frequently recurrent initial syllables *Shack* and *Shax* (obviously the *a* pronounced short) suggest that the

¹ *The Academy*, February 5, 1887, p. 94.

word derives from the short-voweled Old English *scacan* (to shake), particularly the imperative form *scac*.

Still another theory, a translation theory, of the origin of the name Shakespeare has been proposed by A. F. Heintz.² He has advanced the idea that the dramatist's name originated by translation from that of *Levelaunce* or *Lyvelaunce*, which he found in Warwickshire records of the twelfth and fourteenth centuries. He cites that *Shakelaunce* appears in the 1274-75 Rolls for Northants and suggests that this *Shakelaunce* may be an intermediary form between *Levelaunce* and *Shakespeare*. He believed that the Lyvelaunces had lived at Hatton. He failed to learn, however, that the Shakespeares at Hatton were of the sixteenth century (not of the twelfth to the fourteenth century) and had migrated there from a neighboring village.

The case of Hugo Shakspre³ of Merton College does not throw much additional light on the meaning, the etymology, or the spelling of the name Shakespeare. The entry shows that on April 8, 1487, there was an election of Fellows to Merton College: "In qua electione electi sunt . . . dominus Hugo Shakspre, Wigorniensis diocesis." On the following June 23, 1487, is the entry: "Admissi sunt in communas collegii sex baccallarii mouiter electi, scilicet . . . Hugo Swander [see *New English Dictionary*, for "sunder," "asunder," etc.] alias dictus Shakspre, sed mutatum est istud nomen eius, quia vile reputatum est." This "Hugo Swander⁴ alias dictus Shakspre" in the Register of the Bishop of London, appears thus: "Saunders alias Shakspre alias Brakespere." This combination is not easily explained: (1) Saunders (cf. sunder = "to put apart,"

"to tear apart," etc.); (2) Shakspre ("to shake a spear"); (3) Brakespere ("to break a spear"). The many entries in the Merton records containing the name "Shakespeare" do not connect "Brakespere" with it; that is, "Brakespere" appears to have been a distinct name unassociated with Shakspre. The name "Saunders" is rather common, but is variously spelled in the records of Wroxall, Rowington, and neighboring hamlets, as the 1460-1527 entries in the Register of the Gild of Knowle show. None of the entries hint any connection between Saunders and Shakespeare, though one group of Saunders names follows a group of Shakespeare entries. And no Hugo Shakspre is included. The Merton records, strangely enough, have other examples of such changes in names: a Robert Barbour in 1484 becomes Robert Dale in 1488-89; a Robert Dykke of June 1492 by the following October 28 becomes "Robertus Dykke, alias dictus Robertus Hyll, et ita appellatus in collegio" (see Salter, *op. cit.*, pp. xliii, 159, 167). However, the actual details explaining "sed mutatum est istud nomen eius, quia vile reputatum est" have never come to light.

Mrs. C. C. Stopes (*Shakespeare's Family*, 1901, p. 1) was misleading—unwittingly so, no doubt—when she abandoned the attempt to determine the origin of the dramatist's name and asserted: "The origin of the name 'Shakespeare' is hidden in the mists of antiquity." If this be true, then the origins of many other simplified and widely used family names are likewise lost: Smith, Porter, Palmer, Norris, Foster, Carter, Tanner, Fletcher, Barker; Bacon, Burns, Chaucer; Alderman, Hoffman, Harri-man; Page, Harper, Chamberlain, and

Salisbury, Shaftsbury, Fortescue, Beaufort, Armstrong!

That the name "Shakspeare" was military not only in its origin but also in its significance is obvious. The interpretative comments of the period show that the Elizabethans so considered it. The word had a definite militaristic connotation: generically it meant a warrior who was shaking a spear, and it came, finally, to epitomize and symbolize a warrior. The fact that none of the great poet's family, so far as known, were military folk does not negative the essential significance of the word, for not all persons named Porter were originally the King's bearers or carriers and not all persons named Armstrong were originally men of strong biceps who stood guard over his person.

Shakspeare's contemporaries directly associated the idea of a warrior or fighting man with the shaking of a spear. In 1598, the author of *Histrionastix* (John Marston?) wrote in humorous vein:

When he shakes his furious spear,
The foe in shivering, fearful sort
May lay him down in death to snort.

The well-known John Davies of Hereford, in 1609, in his "Humours Heau'n on Earth" wrote:

No human power can their force
withstand;
They laugh to scorn the shaking of
the spear.

Elizabethan printers sometimes emphasized the military significance of the word by hyphenating it: *Shake-speares Sonnets*, 1609. Jonson and Spenser each sensed the heroic aspect of the word. Spenser in "Colin Clout's Come Home Again" (1595) declared:

And there, though last, not least is
Action;
A gentler shepherd [poet] may now-
where be found,
Whose Muse, full of high thought's
invention,
Doth like himself heroically sound.

Thomas Fuller, in his *Worthies of England* (1662; in the section on "Warwickshire," p. 126), in commenting on Shakespeare, continued the Elizabethan idea: "*Martial* in the *War-like* sound of

² *The Times* (London) *Literary Supplement*, April 21, 1916, pp. 189-90.

³ G. C. Brodric (*Memorials of Merton College*, Publications of the Oxford Historical Society, 1885, p. 242) first called attention to this record. H. E. Salter (*Registrum Annalium Collegii Mertonensis*, O.H.S., 1923, pp. xxxiv, xliii, 96, 98, 334, 370) gives the facts more in detail. Chambers (*William Shakespeare*, 1930, II, 375-76) reviews the record.

⁴ Saunders became M.A. in 1490 and D.D. in 1501. In addition to holding a number of college

offices, he was *Rex Fabarum* for the Christmas period in 1501-2. In 1501, resigning his Fellowship at Oxford, he entered upon the vicarship of Meopham in Kent. In 1507 he was rector of Mixbury, Oxfordshire. In 1507 the Archbishop of Canterbury named him as one of the three suitable for the wardenship of old Merton. In 1508 he was again so recommended, but he was not elevated to the position. In 1513 he became rector of St. Mary's in Whitechapel and was also rector of Gestingthorpe in Essex. On November 25, 1517, he was elevated to be Canon of St. Paul's. By November 3, 1537, he had died. His will is at present in Somerset House.

his Sur-name whence some may conjecture his of a *Military extraction, Hastivibrans, or Shakespeare.*"

It may be held as certain that to Elizabethans the name "Shakespeare" suggested only one thing—*Shake* and *spear*—and that the two words are Old English in origin.

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II

THE SPELLING OF THE NAME SHAKESPEARE

DETAILED and critical study of the recurrence of the several spellings of the name "Shakespeare" warrants certain deductions: (1) While more than one hundred variants of the name are collated in the lists below, ten spellings account for by far the larger number of occurrences—"Shakespeare," "Shake-speare," "Shakespear," "Shakespere," "Shakspeare," "Shaksperc," "Shaksper," "Shaxpere," "Shaxspere," and "Shackspere." (2) Of these few spellings, "Shakespeare" occurs most frequently. (3) The name, considering its length and form, exhibits no more variations than do other proper names in the Elizabethan period.

J. F. Furnivall's anxious protest against the spelling "Shakespeare" on the ground that the poet himself spelled it otherwise is not to be supported, however, in the light of the very large number of contemporary recurrences of this identical spelling in both script documents and printed books. Shakespeare's own six autograph signatures, on the other hand, do not show exact uniformity or any clear preference as to the spelling of his name: The 1612 deposition

has it "Shak[s]p[er]"; the 1613 Blackfriars purchase deed has it "Shakspe[re]"; the 1613 Blackfriars mortgage deed has it "Shakspe[re]"; the first sheet of the 1616 will has "Shaksperc," the second sheet has "Shaksperc," and the third sheet very definitely has "Shakspeare." Though the eighteenth century devotedly (and perhaps logically) preferred "Shakespear," taste has now shifted. In a survey made not long since by the Lenox Library it was found that, out of some 426 reporting, 33 chose "Shaksperc," 111 used "Shakspeare," and 282 preferred "Shakespeare." Today, at least in printed form, the prevailing conventional spelling of the dramatist's name is "Shakespeare"—and this despite the present spelling "spear" for the warrior's weapon indicated. "Shakespeare" is the preferred twentieth-century spelling, as it was the most frequently recurring spelling in the Elizabethan age.

In preparing the following variant spellings—totaling more than one hundred¹—the present editor has of course

utilized the several previous lists compiled by scholars who have investigated the field. For the most part, however, the forms given here are the result of independent examination of both the original manuscripts and the first editions of printed books. Where no comment is appended to the spelling, the form has been appropriated from some other list. No doubt, from time to time, further research will reveal still other variant forms of the poet's name. The list is in the order of decreasing frequency of occurrence of the various first-syllable spellings.

SHAKE

Shakespeare. This is, by all odds, the most frequently recurring form (in both written documents and printed books) of the name in the dramatist's own day. As noted above, the poet himself, did not invariably spell his name in the same manner. But "William Shake-

of these does suggest the relative advance in information available with respect to the Shakespeare family. J. Hunter (1845) said Shakespeare's name was spelled in 26 different ways in contemporary materials and that, in all, it was spelled 55 different ways. G. R. French (1869) listed some 55 variant spellings. Chambers' (1930) researches yielded 83 variants.

¹ The mere number of known variant spellings of the name Shakespeare should not be a serious consideration in research. Yet the increasing number

spere is the spelling personally passed by him in his dedications to Southampton of *Venus and Adonis* (1593) and of *Lucrece* (1594). The first official court record (1594) concerning the dramatist spells the name "Shakespeare." On the outside flyleaf of the Northumberland MS (ca. 1597) it is "Shakespeare." It is the spelling in the 1596 drafts of the coat of arms. "Shakespeare" is the spelling, likewise, in many important Shakespeare documents: the 1597 foot of fine for New Place, the 1598 default in paying taxes, the 1599 inventory of the Globe theater property, the 1602 Manningham diary, the 1603 James I patent for the King's Men, the 1604 grant of scarlet-red cloth to the King's Men, Augustine Phillips' will (1605), the 1607 burial entry for Edmund Shakespeare, the 1612 deposition (not the dramatist's personal signature) in the Belott-Mountjoy suit, the 1613 Blackfriars purchase deed, the 1613 Blackfriars mortgage deed (not the poet's personal signatures in these two Blackfriars documents), the dramatist's own will (1616) as indicated above, and the 1617 deed of conveyance of the Blackfriars property in trust to Susanna Hall. Gabriel Harvey's manuscript notes in Speght's *Chaucer* (1598) spell the name "Shakespeare"; and Meres's *Palladis Tamia* (1598) spelled it thus, as did John Weaver in his *Epigrams* (1599).

"Shakespeare" is the form in the inscription on Anne Hathaway Shakespeare's grave, that on Susanna's grave, and that on John Hall's.

"Shakespeare" was the spelling on many of the title pages of the early quartos: *The Passionate Pilgrim* (1599), *2 Henry IV* (Q 1, 1600), *A Midsummer-Night's Dream* (Q 1, 1600), *The Merchant of Venice* (Q 1, 1600), *Much Ado about Nothing* (Q 1, 1600), *Merry Wives of Windsor* (Q 1, 1602), *Hamlet* (Q 2, 1604), *Pericles* (Q 1, 1609), *The Whole Contention* (1619, Pavier), *Othello* (Q 1, 1622), and *The Taming of the Shrew* (Q 1, 1631). This was the spelling also for the entry in the Stationers' Register for *King Lear* in 1607.

"Shakespeare" is the spelling on the title page of and in virtually every one of

the occurrences of the name in the introductions to the First Folio (1623), the Second Folio (1632), and the Third Folio (1663). Ben Jonson's "Dedicatory Poem" to the First Folio has "Shakespeare" and so does his *Timber*.

The form "Shakespeare" appears in many other printed volumes, some of which were contemporary with the poet: Richard Barnfield's *Poems in Divers Humors* (1598), Anthony Scoloker's *Daiphantus* (1604), C.I.'s *Epigrammes* (ca. 1604), *The Returne from Pernassus*, Part II (1606), Camden's *Remaines* (1605), Thomas Freeman's *Rune and a Great Cast* (1614), John Stow's *Annales* (1615), the commendatory verses to Philip Massinger's *The Emperour of the East* (1632), Thomas Bancroft's *The Gluttons Feaver* (1633), William Habington's *Castara* (1634), D'Avenant's *In Remembrance to Master William Shakespeare* (1638), Thomas Nabbes's *Totenham Court* (1638), Richard Brome's *The Antipodes* (1640), the Introduction to Beaumont and Fletcher's Folio (1647), Thomas Fuller's *Worthies of England* (1662), the John Aubrey MS 8, folio 45^v (1681), the Fulman-Davies MS (1688-1708), and Milton's *Eikonoklastes* (1690).

Shakespear. The eighteenth century greatly preferred this spelling. For each part—*Shake* and *spear*—it was the normal spelling of the word. There was warrant for it. "Shakespear" is the spelling on the 1605 conveyance of the Stratford Tithes and of the accompanying bond of Ralph Huband. This is the form on the title page of the Third Folio (1664, 2d issue) and that of the Fourth Folio (1685). "Shakespear" is on the title page of *The Birth of Merlin* (1662) erroneously accredited to Shakespeare.

Shakespere. "Shakespere" is the spelling at the top (not within the document) of the first and second drafts of the 1596 coat of arms and is also in the 1599 impalement of the Arden arms. This is the form in the 1602 Combe's purchase deed and in the 1610 foot of fine for the purchase of twenty additional acres from the Combes. The Survey of the Manor of Rowington (1603-1604) has

"Shakespere." "Shakespere" was the form in the 1615 Bill of Complaint to recover the legal papers conveyed by the 1613 Blackfriars purchase deed. "Shakespere" is the spelling on the title page of *Love's Labour's Lost* (Q 1, 1598). It appears, also, in the entry in the Stationers' Register for *2 Henry IV* (1600) and in that for *Much Ado about Nothing* (1600).

Shakesper. Nottinghamshire, 1549; London, 1506.

Shakespers. London, 1506.

Shakespeer. Register, St. Clement Danes, London.

Shakespeie. *Calendar of Court Rolls*, 1310. Probably a misreading of an *r* as an *i*.

Shakespeyre. Rowington, 1460.

Shakespire. Gloucestershire.

Shakespeir. Gloucestershire. Coventry, 1489.

Shakespeyr.

Shakespeye. Gloucestershire, 1260. Probably a misreading of an *r* as a *y*.

Shakespare. Leicestershire, 1544.

Shakespere.

Shakespere. Bishop's Tachbrook, 1557, 1559.

Shakisspere. Rowington, 1561.

Shakespheare.

Shakespur. Nottinghamshire, 1596.

Shakespert. London, 1539.

Shakesby. Register, St. Clement Danes, London.

Shake-speare. This hyphenated form appears rather frequently in printed publications (never in script documents) of the period: *Willobie His Avis* (1594); title pages of *Richard II* (Q 2, 1598), of *Richard III* (Q 2, 1598), of *1 Henry IV* (Q 2, 1599), of *Hamlet* (Q 1, 1603), of the *Sonnets* (1609), of *Troilus and Cressida* (1609, one of the two issues), and of the *Poems* (1640). "Shake-speare" is the name attached to

The Spelling of the Name

SHAX

the "Threnos" in *The Phoenix and the Turtle* (Q 1, 1601).

SHAK

Shakspeare. This spelling is the poet's on sheet three of his will, as on the Stratford monument, and in many documents: the 1599 entry in default of paying taxes, *The Returne from Parnassus*, Part I (1600), the 1601 burial of "Mr Johannes Shakspeare," Thomas Greene's Diary (1614, uses it three times), and the 1613 Belvoir MS concerning the Earl of Rutland's *impresa*. In printed form it occurs in William Covell's *Polimanteia* (1595), William Barkstead's *Mirrha* (1607), *The Yorkshire Tragedy* (Q 1, 1608), and the *Two Noble Kinsmen* (Q 1, 1634).

Shakspear. London, 1605.

Shakspeare. This spelling recurs with a more than common degree of consistency in the Parish Register of the Stratford Parish Church; but up to 1600 these entries (from 1558) were all recopied (and certified as correct) under Vicar Byfield. The entry for the poet's burial reads: "with Shakspeare gent." For Henry Shakespeare, uncle of William, who died in 1596 at Snitterfield, the burial entry is spelled "Sakspeare." Six weeks later his wife Margaret died; her burial entry reads: "Margaret Sakspeare being tymes the wyff of Henry Shakspeare." This form appears in a number of Shakespeare documents: it appears to have been almost the favorite (?) signature of the dramatist: (a) "Shakspeare" (according to Tannenbaum's *Problems in Shakspeare's Penmanship*, 1927) is the spelling on both the first and the second sheets of the poet's will; (b) see Tannenbaum's volume also for the suggestion that the dramatist's signatures to both the Blackfriars purchase deed (1613) and the Blackfriars mortgage deed (1613) have had their ends cut off when the parchment strips on which William Shakespeare wrote his name were clipped so that they could be inserted into the smaller slits cut into the document proper. The 1596 writ of attachment against Shakespeare has the spelling "Shakspeare." A Folger MS

signature purporting to be at the close of a letter to Jone Hathaway (it is "Jone" and not "Anne" in the letter) has "W^m Shakspeare."

Shaksper. Records of Knowle, 1612. This, in a conventionally abbreviated form, was William Shakespeare's own spelling when he signed his deposition (May 11, 1612) in the Belott-Mountjoy suit. The supposed Shakespeare personal signature in the copy of Montaigne's *Essays* is "Willm Shaksper." The Stratford Parish Register for 1616 has the entry among baptisms: "Shaksper filius Thomas Quyny gent." Abraham Sturley's manuscript letter to Richard Quiney has "Shaksper."

Shaksper. Scottish Drummond materials. Perhaps his transcribers misread the final *e* as an *r*. This is most probable, for a final syllable "sperr" would not make sense.

Shakspeer. Stratford Parish Register, March 11, 1574, has a baptism: "Richard sonne to M^r John Shakspeer." This spelling occurs also in the Register of St. Clement Danes, London.

Shakspeyre. Packwood, 1528.

Shakspeyr. Richard Simons' entries in the Stratford Corporation records are rather uniformly in this spelling.

Shakkspeare. Entry in the Court Rolls, Public Record Office, 1528-51.

Shakispeare.

Shakisspere. Rowington, 1501 and 1561.

Shakyspear. Wroxall will, 1539.

Shakyspere. Rowington, 1557.

Shakyspere. Rowington, 1560.

Shakysper.

Shakyspeyr.

Shaksbye. Register, St. Clement Danes, London. The final syllable, "bye," is Old English and may not be a variant of "spere."

Shak-speare. This hyphenated form appeared on the title page of *King Lear* (Q 1, 1608).

Shaxpeare.

Shaxpear. Bishop's Tachbrook, 1592.

Shaxpere. A rather frequently recurring form in the Rowington records. Henry Rogers' entries in the Stratford Corporation minutes are pretty consistently spelled "Shaxpere." The entry for the 1582 marriage license in the Register of the Diocese of Worcester has "W^m Shaxpere."

Shaxper. Balsall, 1575; Warwick, 1577.

Shaxpeir. Haseley, 1515.

Shaxbere.

Shaxber.

Shaxberd. This final *d* may easily be a final *e*; these two letters in Elizabethan script are frequently confused because their general forms are similar. "Shaxberd" appears in the Revels Accounts (1604-1605), which Chambers and others accept as genuine but which S. A. Tannenbaum (*Shakspeare Forgeries in the Revels Accounts*, 1928) holds to be definite forgeries by J. Payne Collier.

Shaxspere. Rowington records, 1594. The 1599 Chamberlain's Account reads: "Paid to M^r Shaxspere for one load of stone x^d." The Thomas Whittington will (1601) has "Anne Shaxspere." The Stratford Parish Register for 1607, under "Marriages," has "John Hall gentlemā & Susanna Shaxspere"; and the 1608 burial entry reads, "Mayry Shaxspere wyd-owe."

Shaxsper. Sir Thomas, of Bristol. He appears also as "Schafspere."

Shax'pere. Rowington, 1560. The apostrophe spelling is an unusual form.

Shaxespere. Rowington Subsidy Rolls, 1546. A goodly number of the Rowington spellings are "Shaxespere."

Shaxver.

Shaxbee. Register of St. Clement Danes, London. The final *e* may be a misreading of an *r*.

SHEX

Shexpere. The 1604 suit against Rogers by the dramatist has "Shexpere."

Shexspere.

Shexsper.

SAKE

Sakespeic. *Calendar of Court Rolls*, 1310. The *ie* may be a misreading of a final *ere*, since a certain form of *r* might easily be misread as *i*.

Sakespey. *Calendar of Court Rolls*, 1310.

Sakesper. Essex, 1278; Placita Coronae, 7 Edward I, Kent.

SAK

Saksper. Burial entry for Snitterfield, 1597: "Margaret Saksper."

Saksper. Gloucestershire, 1248. This spelling is that of the very earliest Shakespeare known in England—a William Saksper, about seven miles (at Clopton) from Stratford-on-Avon, was hanged in 1248 for robbery.

SAX

Saxberd. The final *d* easily may be a misreading of a final *e*.

Saxpere.

Saxper. Wroxall, 1592.

Saxspere. Warwick, 1579.

Saxpey. *Calendar of Court Rolls*, 1310. The final *y* may be a misreading of a form of final *r*.

SHACKE

Shakespeare. The 1614 Replingham agreement has "William Shakespeare" written in the text some five times. Susanna Hall's answer to Baldwin Brooke's 1636 suit against her has "Shakespeare." Rowington Records, 1598.

Shakespeare.

Shakespeare. Lapworth, 1564 and 1595. A well-known Shakespeare document has this spelling: the 1589 "John Shackespere" bill of complaint against John Lambert in the suit to recover an Aston Cantlow property. The 1598 "Noate of Corne and Malte" has "W^m Shackespere x quarters." The 1602 Getley purchase copyhold. The Richard Quiney (1598) letter to "William Shackespere" for a loan of £30. A number of Rowington entries are "Shackespere."

SHACK

Shakespeare. The 1608 Addenbrooke suit. The 1611 bill of complaint about

the Stratford Tithes. Some of the Wroxall (1559) spellings are "Shackspeare" (see below, p. 12).

Shackspear. Register, St. Clement Danes, London, 1605.

Shackspere. John Combe's 1613 will has "Shackspere." A number of the Rowington entries have this spelling. The 1597 default in payment of taxes has "Shackspere."

Shacksper. The 1611 subscription list for the repair of highways reads, "mr willia shacksper."

Shakespeare.

Shakespeare. Register of St. Clement Danes, London.

SHAKE

Schakespeare. Records of Knowle, 1464; Subsidy Rolls of Wroxall, 1525 and 1542.

Schakespeare.

Schakespeare. Records of Knowle, 1464.

Schakespeyre. Nottinghamshire, 1544.

Schakespeyr. Nottinghamshire, 1544.

SCHAK

Schakespeare. Records of Knowle, 1486.

SCHACK

Schackespeare. Rowington, 1604. "Schackespeare ex antiquo."

Schackespear. Rowington Subsidy Rolls, 1599.

Schackspere. Lay Subsidy Rolls of Yorkshire, 1378-79.

VARIANTS AND INDIVIDUAL FORMS

Saykespeye. *Calendar of Court Rolls*, 1310.

Shakespeare. Bishop's Tachbrook, 1574.

Sheakspear. In the Scottish Drummond; or else his transcribers misread *ea* for one of the forms of Gothic script *a*.

Shagspere. Unusual—even very rare: marriage bond of 1582. The name of Henry Shakespeare, the poet's uncle at Snitterfield, was once spelled "Shagspere."

Shasper. Register of St. Clement Danes, London.

Shasspere. London, "the King's bitmaker."

Shadspere. A monk of this name lived at Bardesley. His name is spelled also "Shaxper" and "Sadsper."

Sadspere. The will of "Sur Roger Sadspere priest" was dated February 17, 1559. One would be inclined to hold that this "Sad" was not a variant of "Shake"; that is, "sad" = sober, solemn, etc. But the same monk is given also as "Shaxspere."

Sashpierre. Scarcely seems to be a variant for Shakespeare. The "pierre" may be only Pierre = Peter; but, in this instance, he was the Shakespeare who was "the King's bitmaker" in London (see "Shasspere," above).

Schafispere. Gloucestershire. A variant of the name for Thomas of Bristol. He was a Shakespeare whose name was spelled both "Shaftsper" and "Shaxspere."

Shafftespere. Bristol will, 1501.

Shefispere. Gloucestershire.

Chacsper. Rowington, 1476.

Schacosper. Plea Rolls, Newcastle-under-Lyme, 1374; Cheshire, 1374.

Chacosper.

Shakeshafte. The name of Richard Shakespeare, the dramatist's grandfather, is so spelled in the Court Rolls of Snitterfield.

Shakstaff. Richard Shakespeare is so spelled in the Court Rolls of Snitterfield. One "Shakstaff" was a landowner in Shropshire in 1545.

Sikestaffe. This spelling occurs in the Alcester records, 1536-37.

Shakeshaff. Not an uncommon form. One such held land in Shropshire in 1545; a "John Shakeshaft" was at Balsall 1543-49.

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III

THE SHAKESPEARES OF WARWICKSHIRE

SEARCH among the records has been productive of many, many Shakespeares, but valuable discoveries have nevertheless been rather few. Vital statistics during the period from the twelfth to the seventeenth century were not concerned with (a) places of residence or (b) relationships of the person entered in the records. Such incomplete records sufficed the social needs then; but they are quite inadequate for modern scholarship.

Still, with regard to the Shakespeares up to, say, 1600, the following general conclusions may be ventured: (1) Relatively few Shakespeares appeared in England during the thirteenth century—only five have thus far been brought to light. (2) Relatively few Shakespeares appeared in England during the fourteenth century—to date only some eleven have been found. (3) During the fifteenth and sixteenth centuries large

numbers of Shakespeares appeared in Warwickshire, with correspondingly few in the surrounding shires. (4) The Shakespeares were not ambitious yeomen and gentry but were rather of the artisan class. Individuals are identified as shoemaker, billman, brewer, turner, weaver, butcher, valet, verderer, felon, cooper, robber, customs collector; as witness, bondsman, and juryman; as copyholder (very few), tenant, and feoffee (a goodly number); and as royal "bit-maker." (5) The Shakespeares were thus not of the royalty, not of the nobility, not of the gentry (among all the Shakespeares of the early period only three were "gentleman"), not of the landowners, but of the great horde of upper lower-class or of lower middle-class people. (6) Virtually nothing appears in the form of literary figure or interest, though once in a while a cleric comes to light.

Some additional deductions may be

indicated: (7) The Shakespeare family, in contrast to some other English families, such as the Arden family, does not exhibit a lineage going back to very early dates. (8) The very earliest Shakespeare yet discovered in all England was a 1248 "William Saksper," in Gloucestershire, who was hanged for robbery. (9) The very earliest Shakespeare yet brought to light in all Warwickshire was a 1359 "Thomas Shakspeare," a felon who fled the country. (10) Most frequently recurrent given names among the Shakespeare men are John (most often), Thomas, William, and Richard, and among the Shakespeare women, Alice, Joan, Margaret, and Elizabeth.

The rather sudden development, during the fifteenth and sixteenth centuries, of the Shakespeares in England, particularly in Warwickshire, has been vaguely explained on the ground that during these centuries given names were emphasized in addition to family names.

This would be a pretty difficult thing to demonstrate conclusively. Granting as much, the additional question remains: Why did they develop so numerous in Warwickshire and apparently so little elsewhere?

The following Shakespeares have been garnered from many original sources—parish registers, deeds, wills, subsidy rolls, mustcr rolls, et cetera—and are here set down fully after collation with Sir Edmund K. Chambers' *William Shakespeare* (Appendix E), and Mrs. C. C. Stopes's *Shakespeare's Family* (pp. 4-16). No one can claim priority in so complicated and confusing a field as that of the Shakespeare families. From time to time, of course, either by sheer accident or by design, new bits of information will be added and the number of recorded Shakespeares increased. In this list the original spellings of the Shakespeare name have for the most part been retained. Entries for the dramatist's own family which are given elsewhere (subsequent chapters) in this volume have not been included here.

A. SHAKESPEARES IN ENGLAND DURING THE THIRTEENTH CENTURY

1248 (Gloucestershire). William Saksper, who lived in Clopton in Kiftesgate Hundred, was hanged for robbery.¹ To date this is the earliest known Shakespeare name in all England.

1250 (Essex). Simon Sakesper, who lived in the half-hundred of Wauthorn (Waltham), identified as a verderer (Cotton Roll, xiii, folio 5).²

1260-61 (Gloucestershire). Simon Shakespeye, who was royal *valettus*, conveyed land to Constantia de Legh at "Pruslbury" (Coram Rege Roll, 45 Henry III, membrane 13, no. 117).³

1268 (Surrey). Geoffrey Shakspeare served as a juryman in the hundred

of Brixton in Surrey⁴ (Coram Rege Roll, 52-53 Henry III, 139, membrane 1).

1279 (Kent). John Shakespcrc, in October, St. Hilary Term, 7 Edward I, was the plaintiff in a suit at Freyndon "apud cantuar"⁵ (Placita Coronae, 7 Edward I, Kent).

B. SHAKESPEARES IN ENGLAND DURING THE FOURTEENTH CENTURY

1318 (Staffordshire). William Shakespere went surety in a suit at law for the Prior of Trentham. In 1324 this Prior sued Simon Shakespere.

1327. Simon Schakespcrc was on the Subsidy Roll of Penkhull in Stoke-upon-Trent. This family name is traceable at Penkhull, at Shelton, and in Stoke itself to as late as 1417. The spelling "Schacosper" is found in the Plea Rolls, in 1374, of Newcastle-under-Lyme.⁶

1348. (Cheshire). Rolyn Shaksperc was a tenant on the manor of Harden in Stockport.⁷

1349 (Cumberland). "Henry Shakespere of the Parish of Kirkland" cast of Penrith, from 1349 to 1357 withheld his payment of fee of corn due the hospital of Saint Nicholas in Carlisle.⁸

1357 (Nottingham). John Shakespere, in 1357 and in 1360, was, respectively, plaintiff and defendant in suits at law.⁹

1359 (Warwickshire). Thomas Shakespere, a felon, who fled the land, had some property which was later accounted for by the bailiffs (Thomas Sheppey and Henry Dilcock) of Coventry.¹⁰ This is the earliest known Shakespeare in Warwickshire.

¹Mrs. Stopes reported it in her *Shakespeare's Family*, 1901, p. 4, from J. W. Ryland's *Records of Rowington*, 1896, I, xxv.

²Reported by W. H. Hart in 1 *Notes and Queries*, XI, 122.

³Reported by T. Pape in *Transactions North Staffordshire Field Club*, LIII, 47.

⁴Macclesfield Court Rolls, Portfolio 155, no. 85; reported by J. A. Swettenham in *The Times* (London) *Literary Supplement*, April 28, 1916, p. 201.

⁵Reported in 2 *Notes and Queries*, X, 122.

⁶Reported by W. H. Stevenson in his *Records of the Borough of Nottingham* (1882-1919), I, 166, 176.

⁷Addl. MS (Joseph Hunter) British Museum, 24,484, art. 246; reported by Mrs. Stopes in her *Shakespeare's Family*, p. 5.

1359 (Warwickshire). Adam Shaksperc of Oldediche, who had a farm in Balsall, had a son, Adam, of Badclesley Clinton (five miles west of Kenilworth) in 1389.¹¹ This is the second Shakespeare who has come to light in Warwickshire.

1375 (Ireland). Thomas Shakespere had connections with the port of entry at Youghal, where, in 1377, he and Richard Partingale were appointed collectors of all customs.¹²

1378 (Yorkshire). Robert Schaksperc, who was a cooper, with his wife Emma paid poll tax at Pontefract.¹³

1378 (Essex). Walter Shakspeare had recently been in prison in Colchester Castle. A John Shaksperc, on March 3, 1381, went to the same prison for breach of peace.¹⁴

1389 (Warwickshire). Adam Shakespere, son and heir of Adam of Oldediche (see 1359) held land on the manor by military service.¹⁵

1398 (Cumberland). William Shakespere was present as a witness of transfer in April (21 Richard II), 1398, of some land, next to the land of Alan Shakespere, at Penrith.¹⁶

C. SHAKESPEARES IN WARWICKSHIRE DURING THE FIFTEENTH AND SIXTEENTH CENTURIES

1. Balsall:¹⁷

1457. Richard and Alice Shaksperc de Woldiche (see Oldediche, above, under Warwickshire, 1359, 1389), members of the Gild of Knowle, died about 1457.

1486. Thomas and Alice Shaksperc joined the Gild of Knowle in 1486.

¹¹Reported by H. Norris in 8 *Notes and Queries*, VIII, 501.

¹²*Calendar of Irish Close Rolls*, I, i, 996; reported by Halliwell-Phillipps in his Folio edition of Shakespeare's works, I, 4.

¹³Lay subsidies of Yorkshire, 206, 49; reported in *Yorkshire Archaeological Journal*, VI, 3.

¹⁴Controlment Rolls, 2 Richard II; reported by F. J. Furnivall in 5 *Notes and Queries*, I, 25; and Close Rolls, 4, Richard II, reported in 7 *Notes and Queries*, II, 315.

¹⁵Reported by H. Norris, 8 *Notes and Queries*, VIII, 501.

¹⁶Reported in 6 *Notes and Queries*, IV, 126.

¹⁷H. Norris, 8 *Notes and Queries*, VIII, 501 ff., reported concerning these Shakespeares at Balsall.

¹Assize Rolls for Gloucestershire, 32 Henry III, roll 274.

²Reported in William Richard Fisher's *Forest of Essex* (1587), p. 374, and in 9 *Notes and Queries*, II, 167; Mrs. Stopes, *Shakespeare's Family*, 1901, p. 4, gave the date as 1278.

³Reported in 5 *Notes and Queries*, II, 146. Chambers, *William Shakespeare*, II, 354, corrects it to "Prestbury."

1511. Alice Shakspeare joined the Gild of Knowle and paid for the repose of the soul of Thomas.

1575. Laurence Shaxper had a cousin, John, of Wroxall.

1577. Thomas Shakspeare of Warwick bequeathed a copyhold on the Warwick manor to his wife, Agnes.

1579. John Shakespeare hanged himself in his own house, July 23.¹⁸

2. Baddesley Clinton:¹⁹

1414. Adam Shakespeare (see above, 1389, Warwickshire) died, leaving to Alice, his widow, and John, his son (a minor), the land he had acquired by military service in 1389. These are obviously not the lands, et cetera, granted by Henry VII as stated in the 1596 grant of arms. The widow and son were still holding the land in 1425 and 1441.

1464. Johanna Schackespere joined the Gild of Knowle. This entry was followed by that of Ralph and Isobella Schakespere, who paid for the repose of Johanna's soul. Like so many entries in gild registers, no place is given for Ralph and Isobella, but the date fits Ralph Shakspeare of Baddesley Clinton.

1465. Ralph and Richard Shakspeare—who may have been sons to a John—held Great Chedwyns. Ralph, whose wife's name had been Joanna, was dead by April 14, 1496, at which time his land was divided between Robert Huddespit and Robert Rakley, who had married Ralph's daughters, Elizabeth and Isolda. In 1506 (December 14), Elizabeth, now a widow, still held some of the same land held by Adam in 1389.

3. Wroxall:²⁰

1417. Elizabeth Shakspeare's copyhold was forfeited because of irregular alienation. Irregular alienation of a

copyhold automatically resulted in the legal forfeiture of that copyhold back to the lord of the manor. This is the earliest entry for a Shakespeare in the Wroxall records (Ryland, p. 71).

1464. Richard (probably brother to Ralph of 1464, Baddesley Clinton) and Margery Schakespere, of Wroxall, joined the Gild of Knowle. The Gild of Knowle was a very prosperous one at that period.

1503-4. An entry reads "Orate pro anima Isabella Shakspeare quondam priorissa de Wroxale." She, this Isabella, may have been the wife of Ralph of Baddesley Clinton. Married women whose husbands were actually dead could be accepted into the sisterhood. Yet the date may be in error, for on April 17, 1501, and on November 3, 1507, courts manor were held for this Isabella. Dugdale's *Monasticon Anglicanum*, IV, 89, lists no prioress at Wroxall between Isabella Asteley, who died in 1431, and Jocosa Brome, who resigned in 1524 (Ryland, pp. 90, 92, 95).

1504-5. William Shakspeare of Wroxall and John Shakspeare of Rowington conveyed land—this land was late in the possession of Robert Hutsped of Hatton (see 1465, Baddesley Clinton), who probably was the husband of Elizabeth, daughter of Ralph Shakspeare—to charity trustees for Wroxall. This William and John were, no doubt, the executors of Robert Hutsped. They may well have been the sons of Richard and Margery, of Wroxall, who in 1464 joined the Gild of Knowle (p. 91).

1507. John Shakspeare, with his wife Ellen and his son Anthony, secured a copyhold at Wroxall. In 1530 his wife Ellen had married a Cockes, and Anthony surrendered the copyhold (p. 94).

1515. A William Shakspeare of Rowington and others had conveyed to him the charities of Wroxall (p. 149).

1525. An entry reads: "Domina Jane Shakspeare," who was the sub-prioress of Wroxall. She is traceable, after the dissolution, at Hatton (p. 92).

1526-27. A William Shakspeare and his wife Agnes joined the Gild of Knowle.

1530. William Shakspeare, with Agnes his wife and his son, whose name has been lost, secured a copyhold for their three lifetimes. In 1536-37 he was in the Muster Roll of archers; in 1542-44 he appears as "William Schakespere" on the Subsidy Roll and again as "Shaxspere" on March 10, 1546 (pp. 94, 116, 117, 118, 184).

1530 and 1532. Richard Schakespere was on the juries of the Manor Court. He was on the Subsidy Roll for January 18, 1525; in 1534-35 he was bailiff of the manor; in 1535, on January 4, his successor was appointed; in 1535-36 he had a copyhold at Wroxall and a share in a Hatton lease there, on which he is traceable to 1542; in 1536-37 he was a billman; in 1539 he was a fcoffee of the Wroxall charities; and in 1539 he was a witness to a will as "Richard Shakyspear" (*op. cit.*, pp. 92, 93, 95, 103, 104, 107, 115, 117, 150, 184).

Yeatman,²¹ in his pro-Catholic enthusiasm, held that this Richard's wife Alice was the Alys Shakspeare who, in the 1546 will of Francis Griffin of Braybrook, Northants, was a sister to that Francis Griffin. Yeatman held that this Richard Shakspeare was the dramatist William Shakespeare's grandfather. This Richard, Yeatman failed to point out, died not at Snitterfield but at Haseley. This particular Richard Shakspeare was not the grandfather of the poet.²²

1534. John Shakspeare had died between 1532 and 1534 and his holding reverted to the lord of the manor because of lack of a tenant. Such reversion to the lord of the manor of a tenancy because of lack of a tenant was the common law of the day; hence, too, an oldest son was highly desirable in a family (pp. 95, 98).

¹⁸ *The Gentle Shakespeare*, 1896, pp. 239 ff.

²¹ See Hunter's *New Illustrations of Shakespeare*, 1845, I, 10-11, for another Richard Shakespeare, of Alcester, who, he asserted, was the dramatist's grandfather.

¹⁹ "Ancient Indictments," No. 650, reported by Mrs. Stopes in her *Shakespeare's Environment*, p. 43.

²⁰ Baddesley Clinton is five miles west of Kenilworth Castle. H. Norris, *8 Notes and Queries*, VIII, 501, reported the Shakespeares from this place.

²² The Shakespeares listed here under Wroxall are from J. W. Ryland's *Records of Wroxall Abbey and Manor* (1903); page citation from Ryland's volume follows each item listed; other dates and details are from Chambers, *William Shakespeare*, II, 356-68.

1559. Robert Shackspeare was charity feoffee of Wroxall. He died in 1565 and in his will named Joan his wife, Nicholas a son, Frances and Margaret daughters, and Lone and Richard Yeman brothers-in-law. A William Shakespeare evaluated his goods (Ryland, pp. 152, 226).

1575. John Shaxper died. In his will, he named two brothers, William and Nicholas, a cousin Laurence (see 1575, Balsall), of Balsall, James Woodham his brother-in-law, Edward his son, and Alice Windmills his daughter.²³

1582. Nicholas Shakespeare married an Alice Edmunds, to which union a number of children were born—one, a son Peter, whose baptism was entered at Haseley and at Wroxall. The entries spell the name "Saxper," "Shaxper," and "Shaxpere."

1609. William Shakespeare made his will. His wife Elizabeth had died in 1595. He died in 1613. This William's descendants are traceable in 1605 and to 1714 as tenants in that community.²⁴

4. Rowington:²⁵

1460. John and Alice Shakespeyre joined the Gild of Knowle about this date (Ryland, *Records of Rowington*, I, 212).

1467. Richard Shakespeare surrendered a copyhold in the Manor Court (I, 212).

1476. Thomas and Christiana Chacspere joined the Gild of Knowle (I, 212).

1485. John Shakespere was a feoffee for Rowington charities in 1485, and in both 1485 and 1496 he was witness to a deed (I, 17, 22).²⁶

1515. See 1515, under Wroxall. That William of Rowington is not entered in the Rowington Records. There is, however, a William of Rowington in

1548 who had a two-penny cottage, which by 1561 had passed to another.

1523-24. John Shaxpere "the elder" was on the Subsidy Roll. It may be he was the executor of the Hutsped holdings (I, 138).

1524-25. John Shakespere and John Schakespere the younger are on the Subsidy Roll (I, 139).

1525-26. John Shakspere (perhaps the father of a younger John who died in 1546) and his wife Johanna joined the Gild of Knowle. The will of this younger John, who died in 1546, mentions a first and second wife and his mother—wives dead and mother living. Three sons are given bequests: to Nicholas, land at Bawdy Shorts; to John, the residue; and Thomas is entrusted to the care of Thomas Cryar and his wife, who had joined the Gild of Knowle in 1506. The will mentions three daughters, likewise a brother Nicholas, and a Richard Shakespeare who is not a brother. Each is forgiven his debt. There are legacies to Jane Shaxspere and to "all the rest of my brothers and sisters." The phrase "of Hatton," originally written after the word "sisters," is excised in the present copy of the will.²⁷

1542. John Shakespere, "the yong," was a feoffee of the charities of Rowington (I, 27).

1543. John, Thomas, Richard, Lawrence (each a Shakespeare)—no place names for these—were on the Rowington Subsidy Roll.²⁸

1546. John Shaxespere only, of the four listed in 1543, was on the Subsidy Roll (I, 144).

Documents of 1548, 1561, 1590, 1604, 1606—wills, rentals, surveys—enable one to identify and to keep together as a family unit the descendants of this John Shakspere apart from the other Shakespeares at Rowington. This family group, of Mousley End, appears to have had no direct relationship to the Richard Shakespeare of Wroxall (see 1530 and 1532, Wroxall),

who Yeatman²⁹ held was the grandfather of the poet William Shakespeare. Fripp (*Shakespeare's Haunts near Stratford*, 1929, p. 68) says: "John Shakespeare, a tenant of the Prioress Isobella, and probably a relative of the Bailiff Richard, lived at Rowington in 1523, . . . died before 1530, . . ." The plain fact is, however, that the documentary evidence provides nothing as to this relationship. Chambers (*William Shakespeare*, 1930, II, 360) constructs a conjectural family pedigree of this John Shakespere family in which he makes John the father of Richard the bailiff of Wroxall; but he adds: "Most of this, but not the connexion with Richard the bailiff (cf. Wroxall, Haseley), is, I believe, fairly certain." This John Shakspere household has been traced to 1601 by Chambers. Their holdings, in a document or two of 1548, are described as "Shacksperes ex antiquo." Another John Shaxspere held a "cottage and half-virgate" at 6s. 10d. as "Shacksperes ex antiquo" which actually once had belonged to the Spencer family. In turn this property passed to John Shakisspere (1561), to Richard Shackspere, a turner (1590), and to John Shackspere (1604-5). Richard the turner (†1591), then "the elder," in his will named his wife, Joan (made her will in 1599); four sons, John, Roger, Thomas, William; a daughter, Dorothy Jenks; a grandson by John; and a sister, Turner.³⁰

1548. Richard Shaxpere, a weaver, held Le Hilles, at 14s. a house and half-virgate in Back Lane at Church End. In 1551 he leased Les Tyings, an acre of charity meadow. His name, spelled variously "Shakysspere," "Shakspere," and "Shax'spere," appears in wills. In his own will of 1560 he named William and Richard sons, and two men, John and William Reve, brothers-in-law. His wife's name was Alice. Richard (son) succeeded to his father Richard's holdings in 1561. This fam-

²³ Malone, *Variorum*, II, 18.

²⁴ *Ibid.*

²⁵ The Shakespeares listed here under Rowington are from J. W. Ryland, *Records of Rowington* (2 vols., 1896, 1922). The page citation follows each entry.

²⁶ See 1504-1505, Wroxall, for a William, a gildman who, with John Shakespere, executed the property of Hutsped.

²⁷ Yeatman, *op. cit.*, p. 2.

²⁸ *Ibid.*, p. 142.

²⁹ *Ibid.*, pp. 239 ff.

³⁰ Yeatman, *op. cit.*, p. 156, and Malone, *Variorum*, II, 16.

- ily estate was also termed "Schack-speares ex antiquo." This son Richard made his will in 1613, his widow Elizabeth hers in 1614 (Ryland, *Records of Rowington*, I, 206, 209, 210).
1605. A William Shakespeare (unattached) was listed as a trained soldier. This William, wholly without concrete evidence, William John Thomas (*Three Notelets on Shakespeare*, 1865, p. 113) identified with William the dramatist.
5. *Haseley*.⁸¹
Reign of Henry VIII. Yeatman (p. 287) indicated that he had given, earlier in his *The Gentle Shakespeare*, the will of one Richard Shakespeare of Haseley, whom he held related to the Shakespeares of Tachbrook; but he did not print it—and apparently, to date, no one else has seen the document.
- 1546-47. Richard Shakespeare and Richard Wodham were still holding the property, at Haseley, of Richard Shakespeare of Wroxall, though a 1523 twenty-year lease had expired. The Richard of Wroxall property did not pass to the Bourgoynes. Richard Shakespeare was on a jury, 1551, for the manor of Hatton.⁸²
1556. Nicholas Edwards, on October 5, 1556, in reply to a Royal Commission inquiry about the bells of Wroxall Priory, wrote that "one Richard Shaxpeir, my neighbor and one of the tenants of Wroxall" had been directed to carry them to Studley.⁸³
1559. Roger Shaksperc, a priest and monk at Bordesley Abbey in Worcestershire, was buried. His will—"of Sur Roger Sadsperc priest"—dated February 17, 1559, was witnessed by Richard Sadsperc.⁸⁴
- ⁸¹ The registers for Haseley, Beaufort, and Shrewley are combined with the register of Hatton around which these small hamlets were located. The registry entries (they begin in 1538) for Haseley, then, are at Hatton. Yeatman's *The Gentle Shakespeare* (p. 168) and Stopes's *Shakespeare's Family* (p. 124) have the extracts in the instances of the Shakespeare entries for Haseley and for Hatton.
- ⁸² Yeatman, *op. cit.*, p. 144, and Bickley, *Monastic Estates*, p. 20.
- ⁸³ Ryland, *Records of Wroxall*, pp. 122, 149.
- ⁸⁴ Fry, *Worcester Wills*, I, 456.
1589. William Shakespeare married Barbara Stiffe (†1610). The baptisms of their children are entered in the register (Stopes, *Shakespeare's Family*, p. 122). This William Shakespeare was one of the very few persons bearing the name Shakespeare who was identified as "gentleman."
6. *Hatton*:
1547-78. Rowington Shakespeares obviously were the ones who had holdings at Hatton, such as Lyance, now Moat Farm.
1570. Katherine, daughter to Nicholas Shakespeare, was baptized November 5.
1570. Isobel Shakespeare, wife of Thomas Shakespeare and formerly wife of John Tybotes, was buried April 4. This Thomas and Nicholas could have been brothers.
1571. A possible Shakespeare entry reads: "mortua et sepulta erat Domina Jana aliquando una monicarum Wraxall." (See above, 1525, Wroxall.)
- 1607-8. Nicholas and Elizabeth Shakespeare, identified as of Beausale in Hatton, were buried, respectively, in 1607 and 1608. Their son Thomas was baptized on September 8, 1593.
7. *Claverdon, Beaudesert, Pinley, Shrewley*:
The Rowington records evidence scattered Shakespeare holdings at these places. Our entries for them are under Rowington.
8. *Knowle*.⁸⁵
1486. Gild of Knowle entries for payments for the repose of the soul of Thomas Schakspere and also of Thomas Shaksperc.
1612. Elizabeth Shaksperc was a copyholder in a manorial Rent Roll.
9. *Hampden in Arden*:
1597. Elizabeth, late widow of Roger Shakespeare, was administratrix of this Roger of Chesset Wood. (Will in Somerset House, *Herald and Genealogist*, I, 265.)
10. *Barston*:
1547. Ralph Shakespere served as a juror and was on the Subsidy Rolls for Barston and Ascote, 1546-47. His wife was Bridget; their daughter Elizabeth married a man named Buttery (Yeatman, *op. cit.*, p. 160).
11. *Tanworth*:
1553. Christopher Shakespeare had possession of charity lands at that place (Chambers, *op. cit.*, II, 366).
12. *Lapworth*.⁸⁶
1564. Alice Shackespere was married to William Shorte.
Anne (1586) and Richard (1590) were son and daughter to a George Shakespeare.
1595. John Shackespere had a daughter named Elizabeth.
13. *Berkswell*.⁸⁷
1524-25. Ralph Shaksperc was listed on the Subsidy Rolls.
- 1550-51. Another Ralph Shakespeare was a juryman in the Manor Court.
- 1570-71. Another Ralph Shakespeare was on the Subsidy Rolls.
14. *Bishop's Tachbrook*.⁸⁸
1557. Roger Shakessperc had a son baptized.
1559. This Roger Shakessperc had a daughter buried.
1560. This same Roger Shakessperc had a daughter Anne baptized. He had married Agnes Steward (†1599) of Haseley in 1599.
1574. John Shakespere, infant son of Roger, was born and buried.
1592. Roger Shakespeare, a weaver, was buried.
1592. Roger Shaxperc, son of Roger Shakespeare, married Isobel Perkins; and in 1595 he married Alice Higgins, who bore him a son John.
1593. Isobel, daughter of the same Roger Shaxperc, married Thomas Turner.
- ⁸⁵ Hudson, *Lapworth*, pp. 140, 146.
- ⁸⁶ Yeatman, *op. cit.*, p. 160.
- ⁸⁷ E. T. Codd, 3 *Notes and Queries*, VIII, 185; Yeatman, *op. cit.*, p. 161, from Lichfield Wills. The records have to do with but one family.
- ⁸⁸ Greville Papers, folio 4612.

1605. This son Roger Shaxpere made his will.

15. *Packwood*.³⁰

1511-12. Christopher and Isabella Shaxpere joined the Gild of Knowle. Christopher was mentioned in a 1528 document.

1544. Petters was in Christopher's tenure—granted to William Sheldon.

1548-49. Christopher Shaxpere was on the Subsidy Rolls. Also in the following year 1549-50.

1551. Christopher Shaxpere's will mentions a wife Isobel; sons, John, Roger, Richard, Christopher; daughters, Agnes and Alice; and William Featherstone, a son-in-law. Chambers (*op. cit.*, II, 366) sets his death about 1558.

16. *Alcester*.⁴⁰

1522-23. Thomas Shaxpere was listed on the Subsidy Roll. Also in 1531-32 and in 1532-33.

1530-31. Thomas Shaxpere was bailiff of the manor.

1536-37. A Thomas Sikestaffe was on the Muster Rolls of billmen (Yeatman, *op. cit.*, p. 192).

1539. Thomas Shaxpere made his will, which names his father Richard, his mother Margaret, his wife Margaret (who had a son, Alexander Fox), and a son William.

J. Hunter (*New Illustrations of Shakespeare*, I, 9) manipulated this Richard, father to this Thomas, into the position of the dramatist's grandfather. See Yeatman (*op. cit.*, pp. 239 ff.) for another Richard, who he held was the poet's grandfather. There is no documentary evidence for either statement.

17. *Coventry*:

1359. The bailiffs of Coventry (Thomas Sheppey and Henry Dilcock) made

an accounting of the property of Thomas Shaxpere, a felon, who had fled the country (Addl. MS, British Museum, 24,484, art. 246).

1416. Richard Shakespeir was killed by William Sturdy (Coram Rege Roll 655, m. 116).⁴¹

1489. Robert Shakespeir was a member of the Corpus Christi Gild.⁴²

1500. Richard Shaxpere was bequeathed a legacy by John Dwale (Will in Somerset House).⁴³

1583-1606. There are a Henry, a William (who was a shoemaker and who made his will in 1606), and a John Shaxpere (Lichfield Wills).⁴⁴

18. *Warwick*.⁴⁵

1577. Thomas Shaxper, a shoemaker, was buried. His will mentions a wife Agnes, to whom is bequeathed a freebench in a copyhold on the Balsall Manor; sons William, Thomas, and John; and a daughter Joan (†1577), who was the wife of Francis Ley (see Rowington, 1525-26).

1579. Entry for June 6: "sepultus fuet Gulielmus Saxspere qui demersus fuet in rivulo aquae qui vel quae vocatur avona." This, of course, was not the poet William Shakespeare, with whom the "Gulielmus" has been confused.

1582. John and Thomas Shakespeare were assessed for the local poor rate.

1585. This same Thomas Shakespeare secured a copyhold in Smith Street in Warwick. In 1597 he purchased other property.

1598. This Thomas Shakespeare married Elizabeth Letherbarrow, who was the daughter of the mayor of Coventry.

⁴¹ Reported in *Notes and Queries*, cxlvii, 188; Chambers, *op. cit.*, II, 367.

⁴² M. D. Harris, *Bristol and Gloucester Archaeological Society Transactions*, XXXVII, 1901.

⁴³ Reported by Stopes, *Shakespeare's Family*, p. 8.

⁴⁴ Reported by Stopes, *ibid.*, p. 125; 2 *Notes and Queries*, V, 24.

⁴⁵ It is disappointing that at Warwick, the county seat of Warwickshire and locale of so many Shakespeares, the early records have no notices of them. Fry's *Worcester Wills* contains most of these materials.

1601. This Thomas Shakespeare purchased land in Bishop's Tachbrook.

1610. This Thomas Shakespeare, in the articles of apprenticeship (March 10, 1610, to May 22, 1617) of his son John to William Jaggard, the London stationer, was described as a butcher. John appears never to have operated or published for himself, Arber not providing evidence that he did so.

1612. This same Thomas Shakespeare was the bailiff of Warwick.

1619. The Warwickshire "Visitation,"⁴⁶ lists this Thomas Shakespeare as "gentleman" and as a principal Burgess of Warwick.

1632. Thomas Shakespeare made his will.

D. RECORDS OF SHAKESPEARES IN COUNTIES OTHER THAN WARWICKSHIRE DURING THE FIFTEENTH AND SIXTEENTH CENTURIES⁴⁷

1. *Gloucestershire*:

1501. Thomas Shakespeir (the name recurs as "Shakespeare," appears also as "Sheftsper" and "Shafftespere") figures in wills executed in Bristol. One, a Sir Thomas, was identified as a curate (Chambers, *op. cit.*, II, 368).

1570. James Shakespeare was buried at Bisley, March 13 (*ibid.*).

The Shakespeares at Dursley, where the "Shakespeare's Walk" is pointed out today, are not traceable before 1678.

2. *Leicestershire*:

1544-45. William Shakespeare of "Walton on the Wolds" was listed on the Subsidy Rolls.

1553. William Shakespeare of "Waltham on the Wolds" was identified as husbandman in a deed (2 *Notes and Queries*, VI, 228, 429).

1597. Thomas Shakespeare was a resident of Lutterworth. In the years 1604 and 1607 he was identified as of Staple Inn.

⁴⁶ *Publications of the Harleian Society*, XII, 183.

⁴⁷ Research in districts other than Warwickshire, to date, has not brought to light any very early record of Shakespeares, nor has the number of discoveries shown that Shakespeares were equally plentiful elsewhere than in Warwickshire.

³⁰ Folger MSS; see Halliwell-Phillipps' *Calendar of Shakespearean Rarities* for items on the Packwood Shakespeares.

⁴⁰ These Alcester materials have been culled mostly from J. H. Bloom's *Ancient Warwick Deeds*, from the Greville Rolls (folios 208, 209, 210^b), and from Fry's *Worcester Wills*.

1611. This Thomas Shakespeare was "of Lutterworth gent" in affairs about Newark Hospital in Leicestershire.

1613. This Thomas was deputy steward of Lutterworth.

3. Cambridgeshire:

1449. William Shakespere, who was "pauperi" of Snailwell, and his wife Agnes were left legacies, in a will, by Alice Langham.⁴⁰

4. Nottinghamshire:⁴¹

1414-15. Robert Shakespeyr was issued a license to trade.

1443. Robert Shakesper entered suit to collect the price of wood sold for the manufacture of arrows.

1459. Margery Shaksper, among other "bandmen and whamen" who had done him long service, by Sir Thomas Chaworth of Wiverton, in his will, was bequeathed six marks toward her marriage.⁴²

1553. George Shakespere sued for two rosaries.

1544. Peter Shakespeyr was living at Mansfield.

1596-97. Peter Shakespur was identified as a trained soldier at Mansfield.

5. Yorkshire:

1433. John Shakespere, chapman of Doncaster, mentions his wife Johanna in his will⁴³ dated October 31.

6. London:

1413. William Shakesper, in his will, expressed his desire to be buried in St. John's Hospital (Commissary Court of London Wills, ii, fol. 1).

1484. Peter Shakespeare was witness to a Southwark deed (Deed at Cordwainers' Hall).⁴⁴

1506. John Shakesper held a lease in the sanctuary at Westminster about

this time. His name appears also as "Shakerspers."⁴⁵

1539. William Shakespert was buried at St. Margaret's in Westminster on April 30. Since the poet William Shakespeare was not born until 1564, the comment in this register,⁴⁶ in a much later hand, can be only amusing: "Query if this be the poet or not."

1547. Roger Schakespere was advanced to yeoman of the guard, and traces of him appear to 1555.⁴⁷

1548. Thomas Shackespere, who was the minister in St. Mildred's in Bread Street, was awarded a grant of 100s. a year. His will, executed in 1557, identified him as a priest in Jesus Commons, Dowgate Hill, Essex. He named brothers, Robert, Harry Wilson, and John Cooke; and sisters Joan, Grace Starke, and Cecily Richardson. A later will (1559) named sisters Joan, Thomasina Cooke, Anne Wilson, Grace Stourton (Will in Somerset House, 40 Chayney).

1569. Matthew Shaksper married, on February 5, Isabel Peelle of Christ Church, Newgate. A Matthew Shaksper's children appear in the baptisms of St. James's, Clerkenwell, from January 18, 1570, to April 7, 1583 (*Harleian Society Registers*). There is no evidence to support Chambers' (*op. cit.*, II, 370) "possibly a relative of the dramatist."

1571. Thomas Shaksper was Messenger of the Chamber⁴⁸ from 1571 to 1577.

1590. John Shackspere, January 22, married Dorothea Dodde (†1608) at St. Martins-in-the Fields. In 1593 a daughter Maria was baptized. A John was buried in 1646 (*Harleian Society Registers*).

1605. Another John Shakspear, February 3, married Mary Godtheridg in St. Clement Danes (Register, St. Clement Danes, London).

⁴⁰ E. J. L. Scott, from Sacrist Rolls, reported it in *The Athenaeum* (1900), I, 219.

⁴¹ A. M. Burke, *Registers*, p. 373.

⁴² Mrs. C. C. Stopes, *Shakespeare's Industry*, p. 271.

⁴³ Halliwell-Phillips, *Marriage of Wit and Wisdom* (1846), p. 118.

1633. This John Shakspeare, "the King's Bitmaker," was buried. This John had a daughter born to him in 1608, and the entry for the burial on August 8, 1609, of Jane, daughter of William, is probably an error for "daughter of John." This William (?) should not be confused with the William Shakespeare who, with Richard Burbage in 1613, devised and prepared the *impresa* for the Earl of Rutland. Mrs. C. C. Stopes (*Shakespeare's Family*, p. 147) considered the London bitmaker to be the son of Thomas Shakespeare of Snitterfield, for which relationship there is not a scintilla of evidence. Likewise, in error, she identified this London bitmaker with the William Shakespeare of the Earl of Rutland's *impresa*.

This John Shakespeare had a large family, perhaps the largest Shakespeare family in London. The register entries have "Shasper," "Shakspeer," "Shakespeare," "Shackspeer," "Shaxbec," "Shaksbye." As bitmaker from 1617 onward, his name was spelled "Sashpierre," "Shasspeere," as well as in the more conventional form.

The London and other Shakespeares demonstrably of the great poet's family, it may be repeated here, are dealt with in subsequent chapters.

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Folger MS Phillips MS 10653 ("Warwickshire Pedigrees from Dugdale with Additions"; there is a pedigree for the Shakespeare family)

Folger MS 3.1 (contains the entries for the William Shakespeare of Stratford for 1621,

⁴⁴ Tymms's *Wills and Inventories . . . of Bury St. Edmunds*, 1850, p. 12.

⁴⁵ Stevenson's *Records of Nottinghamshire*, II, 102, 180; III, 188; IV, 244.

⁴⁶ *Testamenta Eboracensia* (Surtees Society, 1885), II, 228.

⁴⁷ *Ibid.*, II, 32.

⁴⁸ Reported by French, *Shakespeareana Genealogica*, p. 356.

- 1623, 1624, 1625, 1626; the manuscript was secured from the Warwick Collection in 1905)
- Placita Coronae (Public Record Office)
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IV

THE FAMILY OF JOHN SHAKESPEARE

STUDY of William Shakespeare involves scrutiny of the family of John Shakespeare. Many aspects of the poet's life as recorded in various documents are thus rendered intelligible and significant. Any attempt, however serious, to trace the descent of John Shakespeare beyond his father, Richard Shakespeare of Snitterfield, ends wholly in conjecture. The reasons are not far to seek: (1) The John Shakespeare family belonged to the lower middle-class folk and not to the gentry or to the nobility, whose lineage alone was then a matter

of some concern and of record. (2) Even parish church records before 1558 are for the most part conspicuous by their absence, and there are virtually no reliable genealogical records extant for the lower middle class. The moment the Shakespeare family was established in the landed gentry, however, records for it were entered and the family sequence was preserved. (3) The recurrent John Shakespeares and Richard Shakespeares are thus only confusing by their very number. (4) But it must be understood that in constructing a genealogical tree for the John Shakespeare family

there is no more difficulty than for most other families living at that same period in rural Stratford; attempts to establish the early genealogy of such families as Nash, Hall, Combe, Reynolds, Quiney, and Sturley elicit very little more in the way of satisfactory results. It is not William Shakespeare only whose paternal family lineage in the sixteenth century cannot be traced beyond his grandfather.

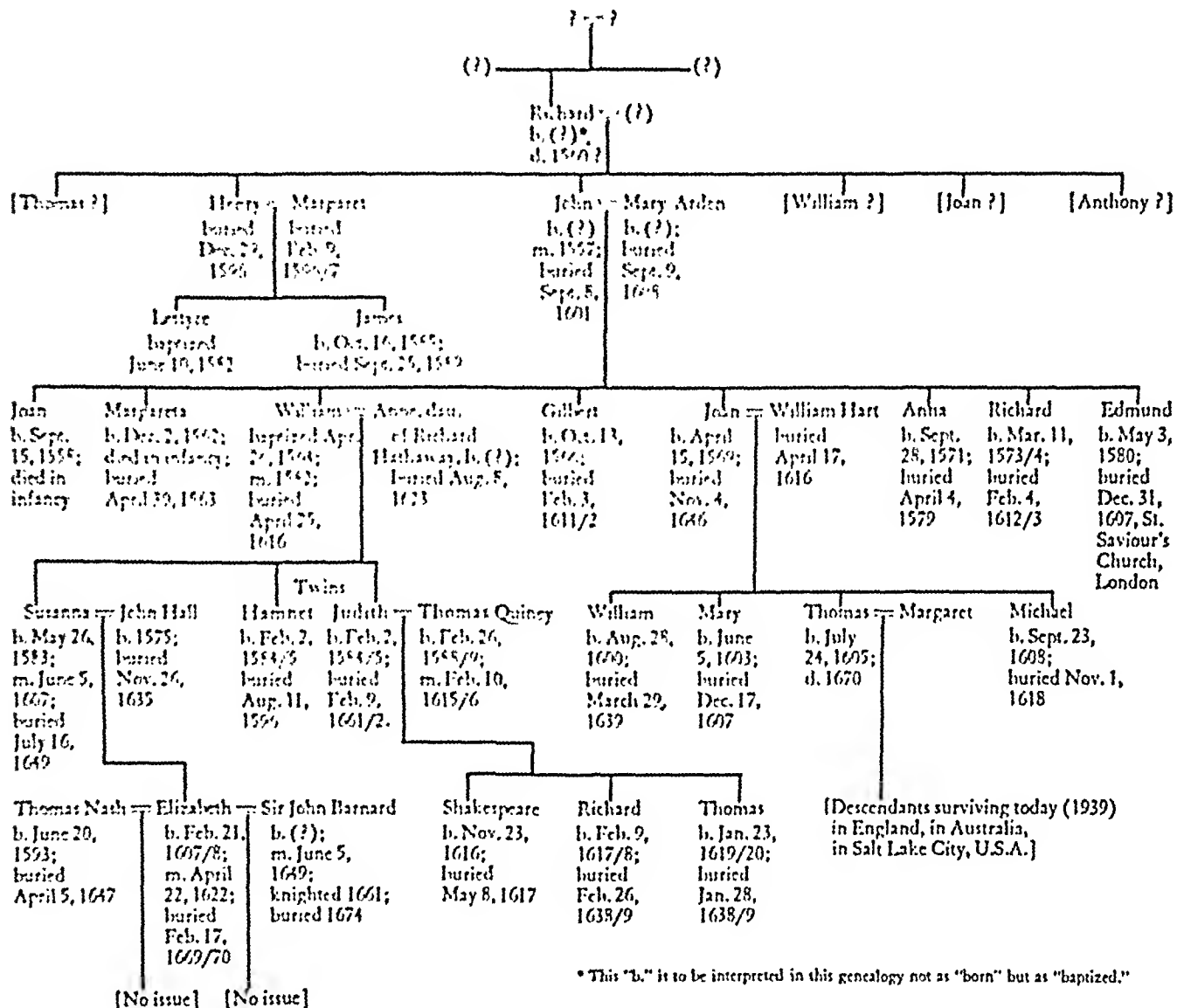
In the light of such confusing records the following family tree of John Shakespeare is presented. It includes no unwarranted items, for there is no justification in conjecturing even when facts encour-

age such conjectures. Future additions and additional information in the field of early Shakespeare genealogy may be expected to appear only as heretofore, by chance.

pears to me that these Shakespeares of Wroxall have the best claim to be considered the progenitors of the Shakespeares of Stratford upon Avon." And (p. 17): "In one of these three families

ford could hardly have escaped notice in some of their wills." Why, one inquires, if the John Shakespeare family came from the Wroxall Shakespeares, as Hunter says they did, is that connection not

GENEALOGY OF THE SHAKESPEARE FAMILY



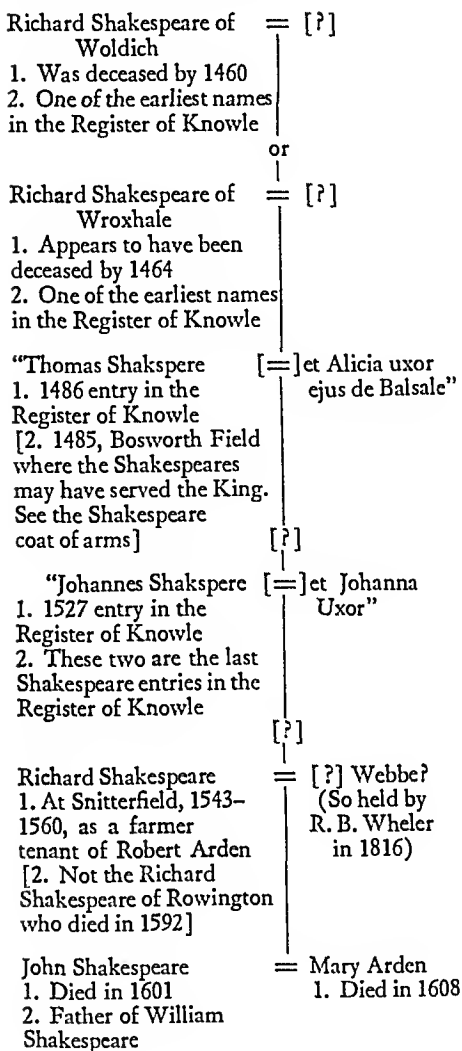
* This "b." is to be interpreted in this genealogy not as "born" but as "baptized."

Try as one will, in the light of the present evidence, one is unable to demonstrate that John Shakespeare's ancestral connections were with the Wroxall family of that name. J. Hunter (*New Illustrations of Shakespeare*, 1845, I, 11) declared: "Of all the Shakespeares of whom we can recover any notices, it ap-

(of Wroxall, Warwick, and Rowington) the grandparent (of the Poet) whoever he was, is to be found. I have ventured to express my own opinion, that he was of the Shakespeares of Wroxall. That he was not of the Shakespeares of Warwick is clear, and if of the Shakespeares of Rowington, the Shakespeares of Strat-

made clear in the Wroxall wills and records? French (*Shakespeareana Genealogica*, 1869, p. 359) opined, much after the fashion of Hunter, that the Stratford Shakespeares were from Wroxall. He indicated an early Shakespeare family genealogy—all of which is conjectural—with a view to providing

the ancestors of Richard Shakespeare, the poet's grandfather:



Yeatman (*The Gentle Shakespeare*, 1906, pp. 239 ff.) held that a Richard Shakespeare's wife Alice was the Alys Shakespeare who, in the 1546 will of Francis Griffin of Braybrook, Northants, was a sister to that Francis Griffin—incidentally a relative of Yeatman's. This Richard Shakespeare, so Yeatman asserted, was the grandfather of the poet. This particular Richard, however, died not at Snitterfield but at Haseley. Hunter (*op. cit.*, I, 9-11) argues for an entirely different Richard Shakespeare as the dramatist's grandfather. Hunter's Richard was of Alcester and was the father of a Thomas Shakespeare, whose will, in 1539, names his father as Richard and his mother as Margaret. Chronology would be against this relationship,

for Richard of Snitterfield died in 1560-61. Chambers (*William Shakespeare*, 1930, I, 11) asserts: "Shakespeares were thick on the ground in sixteenth-century Warwickshire, particularly in the Woodland about Wroxall and Rowington to the north of Stratford. A Richard Shakespeare was in fact bailiff of Wroxall manor in 1534, but his after-history is known, and excludes a suggested identity with Richard of Snitterfield." Chambers declares further (p. 11): "Richard had held land on two manors at Snitterfield, in part as tenant to Robert Arden of Wilmcote in Aston Cantlow. He is traceable there from 1528-9 and may possibly have come from Hampton Corley in Budbrooke." This suggestion of Chambers provides a new lead for the ancestry of Richard Shakespeare.

Of the children attributed to Richard Shakespeare, grandfather of the poet, namely, Thomas [?], Henry, John, William [?], Joan [?], and Anthony [?] (not necessarily born in that order), all but Henry and John, so far as reliable information goes, can be dealt with quickly. Thomas was held by Hunter (*op. cit.*) to have been a son of Richard Shakespeare by virtue of his will of 1539 mentioning his father Richard and his mother Margaret; but Hunter's Richard was of Alcester and not of Snitterfield. Moreover, the chronology—Thomas' will in 1539 and his father Richard's death in 1560 or 1561—is not wholly satisfactory. Adams (*Life of William Shakespeare*, 1923, p. 12) holds that his relation to the family is so doubtful "that other than a footnote reference to him is unjustified" and cites Halliwell-Phillipps' *Outlines of the Life of Shakespeare* (II, 212) for all that is known of Thomas Shakespeare. Chronologically Thomas would be in harmony, for in 1563 his annual rent was £4, a sum which suggests his having been a considerable holder of land. A 1575 entry at Snitterfield shows he was a common "forestaller and engrosser of barley wheat and rye against the forme of the statute." In 1581, according to the Snitterfield parish records, a son John was baptized; this John has been

confused with the poet's father. Chronology again makes it impossible for him to have been the poet's father. He was a juror in the Leet Court (1581, 1583) and helped to issue a View of Frank Pledge. He was himself fined three times during 1581. Like Henry Shakespeare, he was fined (1583) "iiij^d" for not wearing a wool cap on Sundays and holidays as required by statute. And, in 1583, the record is, "Thomas Shaksper xij^d for suffering swyne to goe in the common feildes unringed against the order of the Courte." Mrs. Stopes (*Shakespeare's Family*, 1901, p. 50) also recognizes the possibility of this Thomas Shakespeare's being a brother of Henry and John. This Thomas, too, has been confused and identified with the "Thomas Grecne alias Shaksper" (seemingly of Warwick origin), who was buried in Stratford on March 6, 1590. Because of this alias, the Stratford John Shakespeare has been accorded ancestral connection with the Shakespeares of Warwick.

The earliest Shakespeare record in Warwick—there are no truly early records extant there of the Shakespeares—is of a Thomas Shaxper (died in 1577), who was a shoemaker. It is virtually impossible to identify without question any Thomas Shakespeare as a brother of John Shakespeare and as a son of Richard Shakespeare of Snitterfield. There is, however, further evidence of a Thomas Shakespeare living in Stratford contemporaneously with John Shakespeare. Folger MS 1468.2 is "A boke & role of jurors" of the *comitatus* of Warwick for the year (*ca.*) 1572. Among the more than forty names listed by parishes in the manuscript, for Stratford are "Thomas Shakespeare" and "John Shakespeare." The two names are listed together, Thomas first, with "quene" written just to the left of his name. The "quene" may be interpreted as "Queen's messenger," and one therefore exempt from jury service. This "A boke & role of jurors" would not, of course, indicate any relationships between the persons listed. Their being listed together may or may not indicate relationship; that is, this Thomas may

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have been John's brother Thomas, living, at the time, under the same roof. A William has been casually listed by some as a son of Richard—primarily, it would seem, in order to provide an uncle for whom the poet could be named. Anthony—an Anthony Shaxpere was a billman at Snitterfield in 1569—is not wholly impossible; of him Chambers declares, "He was almost certainly a brother of Thomas." Fripp (*Shakespeare's Haunts near Stratford*, 1929, p. 105) hints a sister Joan—a sister to Henry Shakespeare of Ingon. Speaking of Henry Shakespeare, brother to John, Fripp writes: "His daughter, Lettice, and son James (baptized at Hampton Lucy on 16 October, 1595) were dead, as was his sister (if she was such), Joan." Henry and John are the only children known who were children of Richard Shakespeare of Snitterfield. Henry (the older? Fripp thinks he was the younger) obviously continued the paternal activities and remained at Snitterfield. John, more ambitious, journeyed to Stratford, married an heiress, advanced rapidly in Stratford social-political life, achieved gentryhood, and became the father of the great English dramatist.

A deed of conveyance of property, dated July 17, 1550, 4 Edward VI, by Robert Arden to Edmund Lambert and Joan Lambert in trust (Adam Palmer and Hugh Porter, trustees) for the benefit of Robert Arden's three daughters (Agnes, Joan, and Katherine), after the death of Robert and Agnes Arden, identified Richard Shakespeare as a tenant farmer (who had a dwelling and land) of Robert Arden of Wilmcote. One of the properties is described as "totum illud mesagium meum cum suis pertinentiis in Snytterfylde praedict, quae nunc sunt in tenura cujusdam Ricardi Shakespeare." The deed is to be found among "Miscellaneous Documents" at the Birthplace Museum. The transcript here given (Document 1) is from Halliwell-Phillipps' *Outlines* (II, 173-74). The original manuscript, of course, was virtually without punctuation, and the abbreviated legal Latin forms are those supplied by Halliwell-Phillipps.

A bond, now in the Worcester Probate Registry, executed on a grant of administration of the goods of Richard Shakespeare, "agricola," has a memorandum, dated February 10, 1560/61, in which John Shakespeare is definitely identified as the son of Richard Shakespeare of Snitterfield. The memorandum reads in part: "Ricardi Shakespeare defuncti nuper dum vixit parochie de Snytterfylde Johanni Shakespere filio suo." It will be noted that this bond is a conventional legal instrument of the day: the bond proper is in legal Latin and the conditions to which the bond applies are in English. See Shakespeare's marriage bond (chapter xxv) and Ralph Hubbard's bond for Shakespeare's purchase of the Stratford Tithes (chapter lxxii, Volume II), below, for detailed analyses of an Elizabethan bond. The value of the goods of Richard Shakespeare is given as "xxxviii*li* xv*ij*s"—not as Lee (*A Life of William Shakespeare*, p. 3) gives it (£35 17*s*.) nor as Fripp (*Savage and the Corporation of Stratford-upon-Avon and Other Records, 1553-1620*, I, xlix) gives it (£38 7*s*.). Even Adams (p. 10) gives it incorrectly as £38 17*s*. This sum for his goods, in a time when goods were inventoried at low valuations, shows that this Richard Shakespeare was a substantial tenant farmer of more than just ordinary means. It suggests that he had been getting along a bit in the world and that, sooner or later, he might have been expected to acquire some land of his own. At his death the older son Henry appears to have continued the affairs of his father, and John had already sought new pastures at Stratford-on-Avon, only four miles southwest of Snitterfield. Whether Henry inherited all the estate or whether John shared in it, no extant document shows. John and his son William in due time became landowners—and then landed gentlemen, fulfilling the ambition of every substantial yeoman in the later sixteenth century. J. W. Gray, who in his *Shakespeare's Marriage* (pp. 259-60) printed this Bond, incorrectly dated it 1600/1 instead of 1560/1. The tran-

script here given (Document 2, reproduced on page 22) has the abbreviated legal Latin words spelled out in full. The original, as here, is virtually without punctuation.

Other documentary materials connect Richard Shakespeare directly with Snitterfield. He appears to have spent virtually his entire life at that place. Obviously he was not the Richard Shakespeare—the Bond indicated above, was dead by 1561—who in 1564 with others made an "inventorie of the goods of Willm Wethyford of Rowington." In the Consistory Court Office of the diocese of Worcester, in a "Bundle of Wills, sub. an. 1574," is the following: "This is the Inventorie of all and singular the goodes and cattel of Willm Wethyford of Rowington lately deceased prayed by Iohn Benett Rich^d Shaksper Willi Ley & Thomas Ley the xiiij day of September 1564." The poet's grandfather was, on the other hand, the Richard Shakespeare who in 1558 witnessed the will of Henry Walker of Snitterfield (see 12 *Notes and Queries*, VIII, 45).

Another item of specific documentary evidence¹ relating to Richard Shakespeare of Snitterfield is a "Visus Franci Plegii" issued from the Leet Court of Snitterfield on October 1, 1535. It reads: "Item [juratores] presentant quod Ricardus Meydes (xij^d) et Ricardus Shakespere (xij^d) superoneraverunt comunem pasturam cum aversiis suis contra ordinacionem curie idio ipsi in misericordia." Richard Shakespeare was fined "xij^d," estimated as about \$2.00 in modern values, for overloading the common pasture with his cattle, contrary to the order of the Court. Anyone familiar with the local Court Leet of the day and its very conventional Visus

¹ Joseph Hunter's Addl. MS (British Museum), cited by Yeatman (*op. cit.*, pp. 142, 164), by Stopes (*Shakespeare's Family*, p. 13), and by Chambers (*op. cit.*, II, 13), has a Subsidy Roll for 1524-25 (but not for 1523) for Hampton Corley (Curlew) of Budbroke, in which is listed a Richard Shakespeare. This is the clue that Chambers thinks may show the ancestral family of John Shakespeare to stem from Budbroke, since the Shakespeares of Wroxall and of Rowington appear not to be related to the John Shakespeare of Stratford-upon-Avon.

Franci Plegii² knows of thousands of such records of the Court Leet relative to all sorts of infringements of local community regulations. No one was wholly exempt from such occasional fining—vicars, bailiffs, sheriffs, as well as tenant farmers, shoemakers, glovers, weavers, and swineherders. Documents in the Public Record Office—Court Rolls (Pfo. 207, Nos. 88, 89) and Exchequer Augmentation Court Rolls (Pfo. 28, Nos. 39, 40)—may, however, contain earlier records concerning this Richard Shakespeare. These two sets of rolls, for the years 1528–1551 but not wholly continuous, have to do with the second Snitterfield manor, part of a manor at Warwick belonging to the College of St. Mary there which was dissolved in the time of general dissolution of religious houses. A Richard Shakespeare, perhaps this very Richard who was father of John and grandfather of the poet, appears in the 1528 to 1529 entries and then to 1550—usually he is fined or excused for nonattendance at Court Leet. John Palmer, the tithingman, reported him in some instances. It should be remembered that fining for nonattendance at local court or at council meetings of any kind was the prevailing practice in England in that period; that is, attendance was virtually compulsory and fines were readily imposed for nonattendance. A “fine” (*finis*) ended the probation and made amends for the offense. The conventional phrase was “fined ijd for suit of court.” It was one method of raising funds: even English local pure democracy had to be paid for, and a citizen who failed to participate in community relationships and obligations paid for his contumacy.

On May 9, 1538, this Richard Shakespeare was ordered by the Court Leet to mend the hedges running between his land and that of John Palmer. Chambers (*op. cit.*, II, 27) identifies this Richard with Richard of Snitterfield, the dramatist's grandfather, on the ground that this special manor was

very small and was occupied by but a few tenant farmers and that there is, hence, small likelihood of the contemporaneous existence of two such Richard Shakespeares.

In 1543 Thomas Atwood, *alias* Taylor, who lived in Stratford-upon-Avon, made his will; one bequest reads:

cites a document of Agnes Arden, Mary Arden's sister, leasing her Snitterfield estates in May 1560 to her brother Alexander Webbe, in which Richard Shakespeare again was identified as of Snitterfield. The passage runs: “All those her two measuages with a cottage with all and singuler their appurtenaunces in

[DOCUMENT 1]

[ROBERT ARDEN'S DEED OF CONVEYANCE IDENTIFYING
RICHARD SHAKESPEARE, 1550]

Sciant presentes et futuri quod ego, Robertus Arden de Wylmecote in parochia de Aston Cantlowe in comitatu Warwici, husbandman, dedi, concessi, et hac presenti carta mea tripartiter indentata confirmavi, Ade Palmer de Aston Cantlowe predicta, et Hugoni Porter de Snytterfylde in comitatu predicto, totum illud mesuagium meum, cum suis pertinenciis, in Snytterfylde predicta, que nunc sunt in tenura cujusdam Ricardi Shakespere, ac omnia illa mea terras, prata, pascuas et pasturas, cum suis pertinenciis in Snytterfylde predicta eidem mesuagio spectantia et pertinentia, que nunc sunt in tenura predicti Ricardi Shakespere,—habendum et tenendum omnia predicta mesuagium, terras, prata, pascuas et pasturas, cum suis pertinenciis, predictis Ade Palmer et Hugoni Porter, heredibus et assignatis suis, ad usum et opus mei, predicti Roberti Arden et Agnetis, nunc uxoris mee, pro termino vite nostrum, eorundem Roberti et Agnetis, ac diucius viventis nostrum, et post decessum diucius viventis nostrum, predictorum Roberti Arden et Agnetis, nunc uxoris mee, tunc ad usum et opus sequentia,—scilicet, unam terciam partem omnium predictorum mesuagii, terrarum, pratorum, pascuarum et pasturarum, cum suis pertinenciis, ad usum et opus Agnetis Strynger, nunc uxoris Thome Strynger, ac nuper uxoris Johannis Hewyns, dudum de Bereley, modo defuncti, filie mei predicti Roberti Arden, ac heredum et assignatorum ejusdem Agnetis Strynger impertuum; et alteram terciam partem omnium eorundem

“Vnto Richarde Shakespere of Snytfelde my foure oxen which are nowe in his keping.” It was not uncommon to leave oxen, household furniture, and even money (see Thomas Whittington's will, 1601, which indicates that he had left money in the custody of Mrs. William Shakespeare) in the custody of another in that day; for it was before fireproof storage, before banks, and before strongboxes in safety-deposit vaults had come into use.

Halliwell-Phillipps (*Outlines*, II, 208)

Snytteifeld, and a yarde and a halfe of ayrable lande thereunto belongyng, with all lands medowes pastures commons profitts and commodities in any wyse thereunto apperteynyng, scituate lying and beyng in the towne and ffylde of Snytterfield afforsaid, all whiche now are in the occupation of Richarde Shakespere, John Henley, and John Hargreve.”

On June 1, 1560, William Bott of Stratford was in Snitterfield (see Fripp's *Shakespeare Studies*, p. 53) making an

²For a critical discussion of such a legal document in connection with the Shakespeare Getley purchase, 1602, see chapter lxiv (Volume II), in this work.

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inventory of the goods of Henry Coles, the village blacksmith, in the preparation of which this Richard Shakespeare collaborated.

The last documentary notices relating to Richard Shakespeare are two "Views of Frank Pledge" issued by the Snitterfield Court Leet on October 3, 1560.

his parte doe make his hedges and ditches betwixt the end of the lane of Richard Shakespere, and the hedge called Dawkins hedge, before the feast of St. Luke, sub pene iij^s iij^d."

After 1560 neither the Snitterfield Parish Register nor the Rolls of the Court Leet have any further entries con-

family provided William Shakespeare with a great-great-grandfather, John, he was apparently using his romantic imagination.

Of Richard Shakespeare, then, the following may be concluded: (1) He was a respectable citizen of Snitterfield, where he spent most of his life until his death about 1560. (2) He was the father of John Shakespeare, the dramatist's father, and of at least one other son, Henry—whether younger or older (Fripp thinks younger) has not been determined. (3) He was a rather well-to-do tenant farmer at Snitterfield but never owned land outright. (4) He was held in some degree of esteem, for he witnessed at least one will and helped to make an inventory of goods. (5) The Rolls of the Court Leet show that he was subjected to fines, like hundreds of others in the community, for petty infringements of the court ordinances. (6) His immediate or his remote ancestors have not yet been determined with certainty; the most recent suggestion is that he derived from the Shakespeares in Budbroke. (7) In social rank he was gradually advancing to that of the yeomanry.

Of the two sons, Henry and John, John is accorded special consideration in chapter vi, below, while the additional facts concerning Henry are listed here.

A suit, in the Stratford-upon-Avon Court of Record on February 1, 29 Elizabeth, 1588, in which Nicholas Lane, through his attorney, Thomas Trussell, brought legal action to collect a remaining debt of £10 (about \$400) of an original debt of £22 (about \$880) from John Shakespeare, who had obligated himself as surety on June 4, 1586, for the debt, makes it clear that John Shakespeare was a brother of Henry Shakespeare. The phrase reads: "Henricus Shaxpere frater dicti Johannis." From the legal

mesuagii, terrarum, pratorum, pascuarum et pasturarum, cum suis pertinentiis, ad usum et opus Johanne Lambert, nunc uxoris Edwardi Lambert de Barton-super-lez-Hethe, alie filie mei, predicti Roberti Ardern, ac heredum et assignatorum ejusdem Johanne Lambert imperpetuum; aliamque terciam partem omnium predictorum mesuagii, terrarum, pratorum, pascuarum et pasturarum, cum suis pertinentiis, ad usum et opus Katherine Etkyns, nunc uxoris Thome Etkyns de Wylmecote predicto, alie filie mei, predicti Roberti Ardern, ac heredum et assignatorum ejusdem Katherine Etkyns imperpetuum, de capitalibus dominis feodi illius per servicia inde prius debita et de jure consueta;—et ego vero, predictus Robertus Ardern, et heredes mei, omnia predicta mesuagium, terras, prata, paseuas et pasturas, cum suis pertinentiis, prefatis Ade Palmer et Hugoni Porter, heredibus et assignatis suis, ad usus et opus supradicta, contra omnes gentes warantizabimus et imperpetuum defendemus per presentes. Sciatis insuper me, predictum Robertum Ardern, plenam et pacificam possessionem et seisinam de et in predictis mesuagio terris, pratis, paseuis et pasturis cum suis pertinentiis, prefatis Ade Palmer et Hugoni Porter ad usus et opus superius specificata, secundum vim, formam, tenorem et effectum hujus presentis carte mee tripartiter indentate inde eis, confectum in propria persona mea tradidisse et liberasse. In cujus rei testimonium cuilibet parti hujus, presentis carte mee, tripartiter indentate, sigillum meum apposui. Datum decimo-septimo die Julii, anno regni domini Edwardi Sexti, Dei gracia Anglie, Francie et Hibernie regis fidei, defensoris, et in terra ecclesie Anglicane et Hibernie supremi capitis, quarto.

One reads: "Item, presentant Ricardum Shakespere (iiij^d), et Margeriam Lyncecombe (iiij^d), et Richardum Maydes (iiij^d), quia custodierunt animalia sua super *le leez*, contra ordinacionem inde factam; item, pceptum cuilibet tenentium quod cuilibet pro parte sua debet facere sepem et fossatum inter finem venelle Ricardi Shakespere et sepem vocatum Dawkyns hedge, scilicet, antefestum sancti Luce, sub pena iij^s. iij^d." Another excerpt from the Manor Rolls³ reads: "imprimis, that every ternaunte for

cerning Richard Shakespeare. No records are known at present earlier than 1528, and no certain connection of Richard Shakespeare with any other Shakespeares has been found—certainly none with the Shakespeares at Wroxall and at Rowington. When John Jordan⁴ in his manuscript pedigree of the Shakespeares

³ Chambers (*op. cit.*, II, 27 n.) correctly records that the Manor Rolls of Snitterfield were in 1887 in the possession of R. N. Philips of Welcombe. Halliwell-Phillipps, of course, made use of them. The present repository of these Rolls is not known to the author of this volume.

⁴ Most of the original Jordan MSS are now in the Birmingham Free Public Library, where they may be consulted by responsible investigators. In 1864 Halliwell-Phillipps edited and published *Original Collections on Shakespeare and Stratford-upon-Avon*, by [John] [Jordan], the Stratford Poet, Selected from the Original Manuscripts, written about the year 1780. Among Jordan's materials is John Shakespeare's "Spiritual Last Will and Testament." Much of Jordan's material is unreliable.

instrument it is clear that Henry Shakespeare had failed to pay the debt. The Latin document, which is in the Stratford-on-Avon archives and was first printed by Halliwell-Phillipps in his *Life of William Shakespeare* (p. 9), is here given *in extenso* (Document 3). The transcript given includes the original abbreviated Latin legal words—with periods to indicate the abbreviations. The original manuscript is virtually free from punctuation.

Master Nicholas Lane, son of old Richard Lane, friend of John Shakespeare, was of a family, like that of Shakespeare, which advanced from “yeoman” to “gentleman.” Nicholas lived at Bridge Town, and when he died (1595) he was buried at Alveston, where today his stone effigy may be seen. He was a prosperous man, a money-lender, and a man capable at times of physical violence. In 1592 he was fined for assaulting Francis Jackman of Henley-in-Arden with a crab-tree cudgel, so wounding Jackman that for a time his very life was despaired of. Nicholas was conspicuous enough to have been appointed, once at least, on a commission with Sir Thomas Lucy. In this suit against John Shakespeare, Nicholas was determined. John Shakespeare denied the responsibility; Nicholas maintained the contrary. When judgment went against John Shakespeare, he appealed his case to the higher court. It is not known what the outcome was. There appears to have been no denial that Henry Shakespeare owed the debt; the main point was whether or not John had obligated himself for the unpaid debt of his brother Henry.

Concerning Henry Shakespeare, the following résumé may be given:

1. Virtually all his mature life (†1596) he was a tenant farmer (1574–1596) on the manor of Hales at Snitterfield, some four miles northeast of Stratford-upon-Avon and on a part of one of John Combe’s farms at Ingon, some two miles from Hampton Lucy and only a mile from Snitterfield, his farm later coming to be called “Shakespeare’s Close.”

2. He never was a landowner in his own right.

3. In 1573, as “Henry Shaxspere,” he was a witness and his brother John was the overseer of the will of Alexander Webbe (†1573), who was the first husband of Margaret Arden, sister of Mary Arden.

4. In 1574, now a tenant farmer on the manor of Hales at Snitterfield, he was fined as “Henry Shakespere,” for

refused to abide by the decision against him of the Ecclesiastical Court of Snitterfield, was excommunicated, and finally was listed as “contumacious.” The plea in the Ecclesiastical Court of Snitterfield of Henry Shakespeare in the tithe suit on November 22, 1580, was as follows: “That he this jurate had in the yeare libellated of wheate, maslin and

[DOCUMENT 2]

[A BOND OF 1561 IDENTIFYING RICHARD AND JOHN SHAKESPEARE]

Noverint universi per presentes nos Johannem Shakespere de Snytterfylde in comitatu Warwici agricolam et Thomam Nycols de Syntterfylde predicto in comitatu predicto agricolam teneri et firmiter obligari Thome Powell generoso et Willelmo Warmstrey notario publico in centum libris sterlingorum solvendis eisdem Thome et Willelmo heredibus executoribus vel assignatis suis ad quam quidem solutionem bene et fideliter faciendam obligamus nos et utrumque nostrum per se pro toto et in solidum heredes executores et administratores nostros per presentes Sigillis nostris sigillatas Datum decimo die mensis Februarii anno regni domine Elizabethæ Dei gratia Angliæ Franciæ et Hiberniæ regine fidei defensoris &c Tercio.

The condition of this obligation is suche that if thabove bounden John Shakespere administrator of the goodes catals and debtes of Richard Shakespere deceased late whiles he lyved of the parishe of Snytterfylde in the diocese of Worcestre do well and truly administre the said goodes catals and debtes in manner and forme followinge that is to saye to paye his debtes so fare as his goodes wyll thereunto extend. And do also yeld and rendre a trewe playne and full accompte

“he drew blood to the injury of the said Edward Cornwaile,” second suitor of the widow Margaret Arden-Webbe, with whom he quarreled about the widow’s estate. The view of frank pledge of the Court Leet for October 12, 1574, reads: “Et quod Henricus Shakespere [fined 3s. 3d.] et Edwardus Cornwaile [fined 2s.] invicem affraiam fecerunt, et idem Henricus traxit sanguinem super predictum Edwardum, ad injuriam dicti Edwardi, et contra pacem domine regine.” Henry was fined 2d. for being absent from the Court Leet.

5. In 1580–81, as “Henry Saxspere” and as “Henry Shagspere,” he resolutely declined to pay tithes on his tenant farm,

rye, aboutes five wane-loodes, and of barley and ootes aboutes five wane-loodes, and of pease aboutes five wane-loodes, . . . that every wane-loode of wheate, maslin and rye did extant and was worth by this jurates estimacion vj.s. viij.d., and every of the loodes of barley and ootes was worth aboutes v.s. and every wane-loode of pease afore by him deposid was worth by this jurates estimacion to the summe of v.s. . . . that the simple value of the halff of the tythe wheate, maslin, and rie, did extende to xx.d., and the triple value thereof to v.s. . . . that the simple value of the halffe of the tythe of the barley and ootes afore by him deposid did extende to xv.d.,

and the triple value thereof to *iiij.s. ix.d.*, and that the simple value of the tythe of the one halff of the pease afore by him deposid did extende to *xv.d.*, and the triple value thereof to *iiij.s. ix.d.* . . . that he payed no tythes to the sayd Sheldon and Bewfoe, bycause, as he sayeth, he compounded with Mr. Rich. Brokes of Warwike for the said moitie, who this

wheate, mongcorn and rie, did extend or was worth on with another *xvj.s.* a lode by this deponentes estimacion, and every lode of barley and otes was worth *x.s.* a lode on with another; and every carte-lode of peese on with another was worth by this deponentes estimacion *ix.s.* a carte-lode on with another, had bj the said Shagspere;—ad nonum et decimum

of his administration made in and upon the said goodes catalls and debtes to thordinarye of the said diocese of Worcestre for the tyme beinge at suche tyme and place as he shalbe thereunto lawfully required. And do also upon his proper costes and expenses defend and save harmeles the Right reverend father in God Lord Edwine Bushoppe of Worcestre. And thabove named master Thomas Powell his vicar generall and Wylliam Warmstrey his registrar of the said diocese and every of them allwayes and at all tymes against all manner persons for grauntinge sealinge and deliveringe unto him a lettre of administration to administre the said goodes catalls and debtes and for all other causes which maye ensue by reason and occasion thereof that then this obligation to be voyde and of noe effect ore else to stand and abyde in his full strengthe power and vertue.

[Memorandum of the administration grant on February 10th, 1600/1, in the Register *Testamenta vestusta*, Worcester Probate Registry]:

| | | |
|-----------------------|---|---|
| Ricard Shakespeare | } | Eisdem die et anno comissa fuit administracio bonorum |
| | | Ricardi Shackespere defuncti nuper dum vixit parochie de Snytterfylde Johanni Shakespeare filio suo qui in forma juris juratus exhibuit inventariam ad summam xxxviij ^{li} xvij ^s |

jurate did beleve was owner thereof." John Sheldon's deposition, March 14, 1581, in reply to Henry Shakespeare's refusal to pay tithes, asserted: "Ad quintum articulum libelli dicit that Henry Shagspere had and convertid to his owne use of wheate, mongcorn and rie, in the yere libellatid, x. carte-lodes comminge and growinge in the parishe of Snitterfild, and had and convertid to his owne use, in the yere libellatid, of barley and otes x. carte-lodes by this deponentes estimacion, and of peese he had and convertid to his owne use x. carte-lodes, or thereabouts, comminge and growinge within the parishe of Snitterfild;—ad sextum, septimum et octavum articulos libelli dicit that every lode of

articulos libelli dicit that the simple value of the on half of the tythe of the wheate, mongcorn and rie, had by the said Henry Shagsperc, in the yere libellatid, did extend to *vij.s.*, or thereabouts, by this deponentes estimacion, and the tripell value thereof to *xxj.s.*—ad undecimum articulum dicit that the simple value of the on halfe of the tythe of the barley had bj the said Shagsperc, in the yere libellatid, within the parishe of Snitterfild, did extend to *v.s.*, or thereabouts, and the simple value of the on halff of the otes to *v.s.*—ad duodecimum articulum dicit that the simple value of the on halfe of the tythe of the peese had by the said Shagspere, in the yere libellatid, did extend to *iiij.s. vj.d.*, or thereabouts."

Another deposition, March 14, 1581, declared: "Williclmus Totnolle de Warwico, yoman, etatis xl. annorum, aut circiter, pro parte Thome Sheldon et Johannis Beawfo contra Henricum Shagspere, dicit quod dictos firmarios per tantum tempus predictum, et dictum Henricum Shagspere de facie per *vj.* annos ultimo preteritos, novit, aliter non novit.—ad quintum articulum libelli dicit that Henry Shagspere had and convertid to his owne use in the yere libellatid x. carte-loades of wheate, mongcorn, and rie, and of barley and otes x. carte-loades, and of peese he had and convertid to his owne use x. carte-loades, or thereabouts, by this deponentes estimacion, comminge and growinge in and upon the groundes by him occupied in the parishe of Snitterfild in the dioces of Worcester.—ad sextum articulum libelli dicit that every carte-lode of the wheate, mongcorn and rie afore by his deposid was worth, by this deponentes estimacion, *xv.s.* a lode on with another.—ad septimum articulum libelli dicit every lode of barley and otes, afore by this deponent deposid, did extend, by this deponentes estimacion, to *ix.s.* a lode on with another.—ad octavum articulum libelli dicit that every carte-lode of the pease, afore by him deposid, was worth, by this deponentes estimacion, *vijj.s.* a lode on with another.—ad nonum articulum libelli dicit that the simple value of the tythe of on halfe of the wheate, mongcorn and rie, afore by him deposid and had by the said Henry Shagspere, did extend to *vij.s. vj.d.*, or thereabouts.—ad decimum articulum libelli dicit that the tripell value of the tythe of the on halfe of the wheate, mongcorn, and rie, afore by him deposid, had by the said Henry Shagspere in the yere libellid, did extend to *xxij.s. vj.d.*, or thereabouts."

The two items relative to the subsequent excommunication, dated November 21, 1581, and May 22, 1582, read as follows: "Idem firmarii contra Henricum Shagspere in causa subtraccionis decimarum.—Shagsperc, excommunicatione ut supra, et similiter Richardson certificavit de denunciatione dicti Shagsperc in ecclesia de Snitterfild quinto

die mensis Novembris" and "Dominus Thomas Robbins, vicarius de Hampton-in-Arden, Coventrensis et Lichefeldensis diocesis, contra Henricum Shagspere de Snitterfield in causa subtractionis decimarum;—Shagspere est contumax; reservata pena ut supra; dominus ad petitionem suam pronunciavit eum excommunicatum, pena reservata etc."

From the *Black Book of Warwick* (edited by Thomas Kemp, 1898, pp. 285-95) it is clear—Henry Shakespeare's personal independence, obstinacy, and pugnacity aside—that local difficulties in paying tithes at Snitterfield were precipitated by the actions of the notorious Master Richard Brooke of Warwick. This man Brooke, wealthy tenant of Temple Farm, Castle Mills, and other properties, was the heartless and determined antagonist of the Fisher ascendancy and domination in the corporation of Warwick. Brooke, too, was in favor with the Puritan lordships of Warwick and Kenilworth. In practice, Brooke was greedy of possessing Church property with its tithes. When he claimed the Myton tithes, Fisher openly resisted him. At the tithe barn, on November 27, 1576, there was a short but lively siege—Brooke's men defending the barn with bows and arrows and calivers. Fisher's attacking servants routed them, some of them escaping to Brooke's house, where his malicious and contriving wife Mary gave them protection. One John Jeffrey, friend and adviser of Brooke, lived at Wolverton near Snitterfield. The account is that he was "every day walking in the grounds." In due time Brooke claimed the Snitterfield tithes also. When Sheldon, for the Church, pressed the payment of tithes, Henry Shakespeare declined to pay his "for reason." His statement is that "he payed no tithes to the said Sheldon and Bewfoe, by cause, as he sayeth, he compounded with Mr. Rich. Brokes of Warwike for the sayd moitie who this jurate did beleve was owner thereof." Just what the details of the agreement concerning the tithes were between Brooke and Henry Shakespeare is not recorded. Obviously Henry Shakespeare was an accomplice of Brooke, who, eight

days later, was expelled from the Warwick Council by vote of the "Principal Burgesses." Henry Shakespeare suffered excommunication from the Church rather than surrender his position in the matter. From the depositions against him, it is clear that he was a tenant farmer of no small consequence. Certainly the value of his yearly produce

sper, viij*d* [fine], for not havinge and wearinge cappes on Sondayes and hollydayes to the Church, accordinge to the forme of the statute; of Henry Shackesper ij*d* [fine] for not doinge there sute at this courte."

Henry Shakespeare's refusal to wear a wool cap to church on Sundays and holidays was not unique. The statute

[DOCUMENT 3]

[A COURT RECORD IDENTIFYING JOHN AND HENRY SHAKESPEARE AS BROTHERS, 1588]

Johannes Shaksper attachiatus fuit per servient. ad clavem ibidem secundum consuetudinem burgi prædicti ad respondendum Nicholao Lane de placito transgressionis super casum, &c et sunt pleg. de proseq. Johannes Doe et Willielmus Roe &c Et unde idem Nicholaus Lane per Thomam Trussell attorn. suum dicit quod cum quarto die Junii anno regni dominæ nostræ Elizabethæ Dei gratia Angliæ Franciæ et Hiberniæ reginæ fidei defensoris &c vicessimo octavo hic apud Stretford prædictum ac infra jurisdictionem hujus curiæ quoddam colloquium tractatum et habitum fuit inter præfatum Johannem Shakesper et dictum Nicholaum Lane de quodam debito viginti et duarum libr. legalis monetæ Angliæ in quibus Henricus Shaxpere frater dicti Johannis debito modo indebitatus fuit præfato Nicholao Lane et super colloquium illud aggregat. et concordat. fuit Et postea scilicet die et anno supradicto hic apud Stretford prædictum et infra jurisdictionem hujus curiæ pro et in consideratione præmissorum ac pro et in consideratione quatuor denariorum legalis &c præfato Johanni ad tunc et ibidem per præfatum Nicholaum præmanibus solut. super se assumpsit et præfato Nicholao ad trunc et ibidem fideliter promisit quod si dictus Henricus

does not indicate the degree of poverty so often attributed to him.

6. In 1582, "Hary Shaksper" ("Hary" was only a variant spelling and not a neighborly "familiar" name as has been held) was in a list of witnesses for a lawsuit concerning a farm of the Warwick College manor in Snitterfield, a farm once occupied by Richard Shakespeare, father of the brothers Henry and John.

7. In 1583, as "Henry Shackesper," he was fined for refusing to wear a wool cap to church on Sundays and holidays as required by a Parliamentary Act designed to stimulate the wool trade in England. The Court Leet entry, October 25, 1583, was: "Of Henry Shacke-

enacted to that effect carried with it more than a mere physical requirement. The nation was determined to develop sheep raising and hence wool growing. The statutory requiring of the wearing of a wool cap was intended to stimulate the wool business. That meant gradually enclosing common fields (farm lands in many instances) and converting them into larger areas of pasture lands. The tenant farmer in cases of this sort was virtually deprived of his livelihood. Opposition was everywhere precipitated to direct enclosures. General opposition to a movement ruinous to tenant farmers was often expressed by refusal to wear the wool cap as statute required.

Henley and Rowington, too, had their "offenders"—and Stratford-on-Avon as well. In 1577 when an informer visited Stratford to inspect the local administration of the Parliamentary Act in that community, Alderman Richard Hill, on behalf of the Corporation, compounded the neighborhood with the informer for 10s. 8d. (See Savage and Fripp's *Minutes and Accounts*, II, 117.) From

John Shakespeare for payment of the remaining £10. In addition there are other facts concerning Henry.

8. In 1586, Christopher Smith's (alias Court, of Stratford) will specified, in a memorandum of indebtedness to him, £5 9s. 0d. as a debt due from "Henry Shaxspere of Snytterfield."

9. On September 22, 1591, a Court of Record entry indicates that he was im-

the Court of Record entry, for October 20, 1591, has: "Henricus Shaxpere nichill dicit ad narrationem Ricardi Ange in placito transgressionis super casum;—ideo fiat preceptum ad inquirendum que dampna predictus Ricardus sustinuit occasione."

10. In 1596, on September 29, Henry Shakespeare was attached for a debt to John Tomlyns. The Court of Record entry states: "Henricus Shakespere attachiatus fuit per servientes ad clavam ibidem ad sectam Johannis Tomlyns in placito debiti; Henricus Wylson manucepit pro defendente." The entry states further: "Stratford burgus,—preceptum est servientibus ad clavam ibidem quod capiant, seu etc., Henrye Shackspere, si etc., et eum salvum etc., ita quod habeant corpus ejus coram ballivo burgi predicti ad proximan curiam de recordo ibidem tenendam ad respondendum John Tomlenes de placito debiti, et hoc etc." For October 13, 1596, the record continues: "Continuatur accio inter Johannem Tomlyns, querentem, et Henricum Shaxpere, defendentem, in placito debiti." Then follows a deleted note of October 27, 1596: "Johannes Tomlyns narravit versus Henricum Shaxpere in placito debiti."

11. The several entries for fines among the *Visi Franci Plegii* of the Court Leet of Snitterfield for October 22, 1596, suggest that Henry Shakespeare had become nonconformist to a degree: "Of Henry Shaxper, iiij.d, for not doing his sute at this daye, being resiaunt within the precinct of this leete; of Henry Shaxper, ij.s. vjd, for not laboring with teemes for the amending of the Queenes highe-ways at the dayes appointed, according to the forme of the statute; of Henry Shaxper, ij.s, for having a dicke betweene Redd Hill and Burman in decaye for want of repayinge."

12. The Parish Register for Snitterfield has, for December 29, 1596, the entry, "Henery Sakspere was Bureyed."

13. The same Register, for February 9, 1597, reads: "Margaret Sakspere being tymes the wyff of Henry Shakspere." This last is the sole information available about Henry Shakespeare's wife. The Parish Register of Hampton Lucy,

Shaksper non solveret præfato Nicholao decem libras parcellum dictæ sommæ viginti et duarum librarum in festo sancti Michaelis archangeli ex tunc proxime sequente quod tunc ipse idem Johannes Shaksper dictam sommam decem librarum parcellum &c præfato Nicholao bene et fideliter solvere et contentare vellet, cum inde eum hoc requisit. fuer. etc. Et prædictus Nicholaus dicit in facto quod prædictus Henricus Shaksper non solvit præfato Nicholao Lane dictam sommam decem librarum parcellum &c in festo sancti Michaeli archangeli prædict. seu unquam antea vel postea Unde actio accrevit præfato Nicholao Lane ad habendum et exequend. de præfato Johanne Shaksper dictam sommam decem librarum parcellum etc secundum assumptiones et fidel. promissiones suas prædictas etc prædictæ sommæ Johannes Shaksper assumpt. et fideles promiss. suas prædict. quoad dictas decem libras parcellum &c minime curans vel ponderans sed machinans ipsum Nicholaum in hac parte callide et deceptively decipere et defraudare dictam sommam decem librarum parcellum &c præfato Nicholao Lane nondum solvit seu aliquo modo contentavit sed ill. ei huc usque solvere aut contentare omnino contradixit et adhuc contradicit licet sæpius ad hoc secundum assumpt. et fidel. promiss. suas prædictas requisitus fuit Unde dictus Nicholaus Lane dicit quod deterior est et dampnum habet ad valenciam viginti librarum Et inde produc. sect. &c

records there it is clear that they of Rowington did not escape so cheaply. The Churchwarden's account has entries such as these: for 1577, "Item paid at Stratford for the Statute of Caps 14s. 4d."; for 1578, "Item at Stratford for Caps 7s. 5d."; and for 1588, "Item paid for the Statute of Caps 3s. 7d." Henry Shakespeare was not alone contumacious. He had the courage of his convictions, and his brother, John Shakespeare, as will be seen later, and was not far behind him.

It has already been shown (pp. 21 ff.) that Henry Shakespeare did not pay all his indebtedness to Nicholas Lane and that Lane proceeded, in 1587, against

prisoned in the Gaol in High Street, not far from Shakespeare's New Place (purchased later in 1597) in Stratford, for a debt to Richard Ainge. The Court entry reads: "Ricardus Ange narrat versus Henricum Shakespere in placito transgressionis super casum" followed by "Henricus Shaxpere attachiatus fuit ad sectam Ricardi Ange in placito transgressionis super casum, et defendens remanent in priona." Suit for debts in the Court of Record were very common, and imprisonment for nonpayment of debt was likewise very common. These two Latin entries are conventional. Damages also were imposed. In this case, Richard Ainge vs. Henry Shaxpere,

which begins in 1556—Ingon, where Henry Shakespeare tenanted one farm, was but two miles away—has the following entries: (a) 1582, June 10, "Baptism," "Lettyce the Daughter of Henrye Shakespere." (b) 1585, October 16, "Baptism," "Jcames sonne of Henrye Shakespere." (c) 1589, September 25, "Burial," "Jcames Shakespere of Yngon." These two children were dead in 1596.

After Henry's death and burial on December 29, 1596, the Court of Requests commissioned Bartholomew Hales with others to make inquiry into an allegation made by John Blythe of Allesley to the effect that he had sold to Henry Shakespeare of Snitterfield two oxen for the sum of £6 13s. 4d. and that it had not been paid. The record shows that the money was supposedly in Henry's house in anticipation of paying when he died and that William Meades—William Meaydes, Henry Shexper, and Elizabeth Perkes were pledges at the baptism of Henry Townsend, son of John Townsend and his wife Darrity, September 4, 1586—of Coleshall, who dwelt near Henry's place, broke open Henry Shakespeare's coffers on pretense of recovering a debt, took away money, and (in addition) a mare, the hay and corn from the barn, and all the goods and household stuffs, and declined to pay Blythe. Meades, in explanation, declared that he had gone to the house only to ask the widow, Margaret Shakespeare, about the debt of £4 6s. 8d. due him, that he did not ransack the house, and that then he removed himself from the premises quietly; that William Rounde of Allesley, surety for Henry Shakespeare for the £6 13s. 4d., had removed the oxen while Henry was himself in prison for debt and had given them back to John Blythe. All this appears to have resulted from the fact that John Blythe had actually sold the oxen to Henry Shakespeare to be paid for by a given date. Henry, having fallen seriously ill about the time the payment was due, and having died before payment was made, John Blythe brought suit against William Meades for recovery of the sum. Meades, however, had a debt of his own

to collect; and William Rownde, surety for John Blythe, appropriated the oxen.

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V

THE CHARTER OF INCORPORATION OF STRATFORD-UPON-AVON, 1553

UR English term charter (M.E. *chartre* <O.F. *chartre* <L. *chartula*, dim. of *charta* = "a little paper") signifies an official, legal, written instrument by which usually (1) certain rights, privileges, and customs were recognized and (2) additional rights and privileges were granted. In English history the Magna Carta of 1215 is the outstanding example, in that instead of its provisions being granted to a borough, a city, or some small body politic they were recognized and granted by King John to the English people as a whole. A similar charter was granted in 1814 by Louis XVIII to the French people. In feudal times charters were granted not only by the royal sovereign but also by lords of the manor and by bishops. They were granted to communities, to guilds (Stratford's Gild of the Holy Cross is an instance), to boroughs, to religious foundations, to individuals, and so on. Today, in England, except in the incorporation of certain public bodies, the charter has become virtually obsolete. The granting of a charter to the Stratford borough in 1553 was quite in keeping with the practice of that period.

Such an official charter, the first granted to Stratford-upon-Avon and one of the choicest possessions of the Corporation, was a royal charter received directly from Edward VI in 1553. The large manuscript document is of parchment, contains more than 6,000 words, is expressed in the legal documentary Latin of the period, and is recorded in the semi-perpendicular Gothic book hand (conventionally used in such legal documents) rather than in the cursive early Elizabethan script. Its chief ornament is a large Gothic script initial *E* at the head of the charter; inserted in this large capital is a contemporary, pen-

made portrait of Edward VI. He is represented sitting in state on his throne, with crown on head, scepter (sword) in right hand, and ball (world) in left hand, and wearing official robes; high over his head on the front of the square canopy is "VIVAT REX." A good facsimile of this large initial capital *E* is the front

The free English translation here appended is punctuated for purposes of clarity, and it is definitely divided into sentences so that its content may the more readily be understood.

Like other royal charters of the period, this legal document has its preamble, its body, and its dating and witnessing. The

[DOCUMENT 4]

[ROYAL CHARTER INCORPORATING STRATFORD-UPON-AVON, 1553]

EDWARDUS SEXTUS Dei gracia Anglie Francie et Hibernie Rex fidei Defensor et in terra ecclesie Anglicane et Hibernice Supremum caput Dmibus ad quos presentes littere peruenerint salutem Cum Burgus de Stratford super Avon in Comitatu nostro Warrwick sit Burgus antiquus in quo quidem Burgo quedam Gilda antehac fundata et dotata fuerit cum diuersis terris tenementis et possessionibus de quorum redditibus reuentionibus et proficuis quedam Libera Scola Grammaticalis pro educacione et erudicione puerorum et Juuenum ibidem manutenta et sustentata fuerit & quedam Domus elemosinaria ibidem de viginti et quatuor pauperibus inibi sustinendis similiter manutenta et sustentata fuerit et quidam magnus pons lapideus vocatus Stratford Bridge situatus et constructus super et trans aquam et riuium de Avon iuxta Burgum predictum de tempore in tempus manutentus et reparatus fuerit Quequidam Gilda iam dissoluitur ac terre tenementa et possessiones eiusdem ad manus nostras nuper deuenerunt ac in manibus nostris iam existunt Et cum Inhabitantes Burgi de Stratford predicta a

tispicce of Volume I of *Minutes and Accounts of the Corporation of Stratford-upon-Avon*, edited by Richard Savage and Edgar I. Fripp.

A complete and accurate transcript of this 1553 Latin charter is in Volume I (pp. 1-22) of Savage and Fripp's *Minutes and Accounts*. The transcript here furnished is virtually identical with that, although here the abbreviated legal Latin words are spelled out in full. The original text is virtually without punctuation or definite sentence division.

organization and repetitious phrasing of this charter are relatively clear, direct, and specific.

The 1553 charter was applied for and granted in a time of urgent need in the affairs of the Stratford borough and is perhaps the most important document in the early history of Stratford-upon-Avon; for by virtue of it the erstwhile rural village now stood upright and became a royally incorporated borough in the realm. Stratford's history from 1553 onward is definitely bound up in its

several charters, further charters being granted in 1610, 1664, and 1674, each in turn enlarging the borough activities and liberties. The charter of 1610 for the first time included Old Town within the borough boundaries.

Between 1547 and 1553 the market town of Stratford-upon-Avon was virtually without an official and effective government, for the Chantry Act of 1547 had dissolved both the College and the Gild of the Holy Cross. The Gild (a lay organization and not a Church order), with its Bailiff and its Aldermen, during a long period had been the special body politic in charge of civic affairs in Stratford, even of constabulary direction and control.

Certain historical facts relative to the Stratford Manor are necessary to an understanding of the conditions in the midst of which Stratford was granted its first charter: (1) In 1549 Bishop Nicholas Heath, of the diocese of Worcester, who owned the Stratford Manor and Bishop's Hampton as well, sold the two to John Dudley, Earl of Warwick and later Duke of Northumberland. (2) In 1553 John Dudley, Earl of Warwick, was attainted (his legal blood children deprived of the right to inherit his family estate). (3) In 1553 Queen Mary granted the Manors back to the Duchess of Warwick. (4) In 1555, on the death of the Duchess, Mary granted them to the hospital of the Savoy. (5) Almost immediately the grant was vacated, whereupon it remained with the Crown until 1562. (6) In 1562 Queen Elizabeth granted the Manors to Ambrose Dudley, son of John Dudley (father-in-law of Lady Jane Grey), who in turn was created Earl of Warwick. (7) In 1590, on Ambrose's death, once again the grant reverted to the Crown. (8) It was then purchased by Sir Edward Greville of Milcote. During this period of many changes in the lordship of the Stratford Manor, little local government could derive from that source.

The Gild in its control of civic activities in Stratford had a Bailiff, Aldermen, Proctors, and a Constable. It maintained also a Grammar School and an Almshouse. Upon the dissolution of the

tempore cuius memoria hominum non existit habuerunt et gauisi fuerunt diuersas franchises libertates liberas consuetudines Jurisdicciones priuilegia exoneraciones et quietancias ratione et pretextu Gilde predictae ac ratione et pretextu cartarum concessionum & confirmationum per progenitores nostros Magistris et Confratribus Gilde predictae et aliter ex antiquo factarum que iidem Inhabitantes Burgi predicti modo minime habere et gaudere queant pro eo quod Gilda predicta dissoluitur ac pro alijs causis iam nobis apparentibus quorum pretextu veresimile est quod Burgus predictus et gubernacio inde ad peiorem statum de tempore in tempus deueniant si remedium inde cito non prouideatur Super quo Inhabitantes Burgi de Stratford predicta humiliter nobis supplicauerunt quod nos fauorem et gratiam nostram abundantem eis pro melioracione Burgi predicti ac gubernaciones inde et pro sustentacione grandium onerum que ipsi de tempore in tempus sustinere et supportare cogantur et debeant Et quod nos eosdem Inhabitantes in corpus corporatum et politiquum facere redigere et creare dignemur Sciatis quod nos petitioni predicta graciose annuentes de gracia nostra speciali ac ex certa sciencia et mero motu nostris volumus ac pro nobis heredibus et successoribus nostris concedimus eisdem Inhabitantibus Burgi de Stratford super Avon predicta quod Burgus ille sit liber Burgus de cetero imperpetuum et quod Burgus ille de vno Balliuo et Burgensibus de cetero sit et erit corporatus in re facto et nomine imperpetuum ac Burgum illum corpus corporatum et politiquum de se imperpetuum de vno Balliuo et Burgensibus realiter et ad plenum erigimus facimus ordinamus et creamus pro nobis heredibus et successoribus nostris imperpetuum per presentes Et quod Inhabitantes eiusdem Burgi nunc et pro tempore existentes de cetero sint et erunt vnum corpus corporatum et vna Communitas perpetua in re facto et nomine per nomen Balliui et Burgensium Burgi de Stratford super Avon habentque successionem perpetuam Et quod ipsi per idem nomen sint et erunt persone habiles et in lege capaces ad habendum perquirendum recipiendum et posidendum terras tenementa libertates franchises et hereditamenta sibi et successoribus suis in feodo et perpetuitate et ad omnia et singula alia facta et res facienda Et per idem nomen placitare et implacitari respondere et responderi defendere et defendi valeant et possint in quibuscumque Curijs et locis et coram quibuscumque Iudicibus siue Justiciarijs vel alijs personis in omnibus et singulis accionibus querelis causis materijs et demandis cuiuscumque sint generis seu nature eisdem modo et forma prout alij ligei nostri persone habiles et in lege capaces placitare et implacitari respondere et responderi defendere et defendi valeant et possint Et quod habeant et habebunt Commune Sigillum pro causis et negotijs suis quibuscumque agendis seruaturum Et Volumus ac per presentes pro nobis heredibus et successoribus nostris ordinamus et concedimus quod dictus Burgus de Stratford super Avon ac circuitus et procinctus inde et Jurisdiccio eiusdem de cetero extendent et protendent ac extendere et protendere valeant et

possint tam in longitudine et latitudine quam in circuitu ad tales et consimiles ac huiusmodi bundas metas et limites ad quales et quas ac prout dictus Burgus de Stratford super Avon ac circuitus et procinctus eiusdem ac Jurisdiccio inde a tempore cuius contrarij memoria hominum non existit vel aliquo tempore postea vel antea extenserunt et protenserunt ac extendere et protendere consueverunt Et quod bene liceat et licebit Balliuo et Burgensibus pro tempore existentibus eiusdem Burgi de Stratford super Avon et successoribus suis perambulacionem seu perambulaciones inde facere pro vera et meliori cognicione inde habenda tociens quociens eis placuerit seu eis necessarium fieri videbitur et hoc absque aliquo breui seu warranto proinde a nobis heredibus vel successoribus nostris in hac parte quoquo modo impetrando seu proseguendo Et Volumus ac per presentes ordinamus et de vberiori gracia nostra pro nobis heredibus et successoribus nostris concedimus quod semper de cetero sint et erunt in Burgo predicto quatuordecim de melioribus ac magis probioribus et discrecioribus inhabitantibus eiusdem Burgi qui vocabuntur Aldermanni Burgi illius quiquidem Aldermanni alios quatuordecim de melioribus ac magis discrecioribus alijs inhabitantibus Burgi predicti sibi eligere et assumere ac associare valeant et possint qui vocabuntur Capitales Burgenses eiusdem Burgi Et quiquidem Aldermanni et Capitales Burgenses facient et erunt ac vocabuntur commune Consilium Burgi predicti pro omnibus rebus materijs causis et negotijs Burgum predictum ac regimen et gubernacionem inde tangentibus seu concernentibus Et quiquidem Aldermanni et Capitales Burgenses siue maior pars eorundem pro tempore existentes de tempore in tempus protestatem et auctoritatem habeant et habebunt annuatim et quolibet anno in mense Septembris ante festum Sancti Michaelis Archangeli annuatim eligere et nominare vnum de seipsis qui erit Balliuus Burgi predicti pro vno anno integro Et quod ipse sic electus et nominatus ad Officium Balliui Burgi predicti pro vno anno integro prefectus et debito modo iuratus fuerit Et si et quando-cumque aliquis huiusmodi Balliuus infra vnum annum postquam ad Officium Balliui Burgi predicti ut prefertur prefectus et iuratus fuerit obire vel ab Officio suo amoueri contigerit quod tunc et tociens bene liceat et licebit Aldermannis et Capitalibus Burgensibus predicti Burgi pro tempore existentibus siue maior pars eorundem alium de seipsis in Ballium Burgi predicti eligere et preficere Et ille sic electus et prefectus officium Balliui Burgi predicti habeat et exerceat durante residuo eiusdem anni Et sic tociens quociens casus sic acciderit Prouiso semper quod in eleccione et nominatione Balliui predicti Burgi pro tempore existentis assensus et Consensus Charissimi Consanguinei et Consiliarij nostri Johannis Ducis Northumbrie modo Domino Burgi predicti ac heredum ac assignatorum suorum Dominorum Burgi predicti pro tempore existentium habeatur priusquam ille sic electus ad Officium illud Iuratus fuerit Et volumus ac per presentes ordinamus et concedimus quod quandocumque contigerit aliquem Aldermannorum Burgi predicti pro

Gild in 1547, its supporting tithes and other income passed to the Crown. With virtually no adequate resources and with no effective official local government, the Stratford folk were moved in 1552 to petition King Edward VI for an official royal charter. No doubt the Earl of Warwick's influence was brought to support the petition.

This 1553 charter did three main fundamental things for Stratford: (a) It recognized the previous ancient rights and liberties of the borough which, through the Gild, it had enjoyed from earliest Anglo-Saxon times. (b) It granted an organized local government to Stratford virtually duplicating what the Gild long since had provided. (c) It re-granted and assured for the future all the rights, liberties, etc., which the town had enjoyed and to which it was entitled, and thus inaugurated a period of civic prosperity in the borough. No study of William Shakespeare and his birthplace can properly ignore this royal charter. Though a long legal document, its inclusion *in extenso* in this work is justified.

From a topical analysis of this Charter of June 28, 1553, it is clear that this royal legal instrument, in the main, did little more than recognize and re-grant the plan of government for Stratford-upon-Avon already actually in operation under the Gild. The several provisions were thus: (1) Edward VI was the Supreme Head of both state and Church and, as such, he granted the Charter. (2) Stratford-upon-Avon was an ancient Borough with a certain Gild endowed with lands, rents, and incomes, which maintained a Free Grammar School, an Almshouse for twenty-four paupers, and the Stratford Bridge over the Avon. (3) The Gild had been dissolved (1547), and its revenues had passed to the Crown. (4) Stratford-upon-Avon had from time immemorial enjoyed many liberties and privileges granted by charter (to the Gild), which liberties, etc., the inhabitants were now no longer able to have and enjoy unless a remedy were soon provided. (5) The inhabitants had petitioned (the date is not given) Edward VI, who graciously

assented and granted them this Charter. (6) The Borough was to be a free Borough forever. (7) The Borough was set up as a Corporation consisting of a Bailiff and Burgesses. (8) The Corporation should have all legal powers to do anything necessary for its existence and continuity—to defend and to be defended, etc. (9) The Corporation was to have a Common Seal. (10) The Borough was empowered to enlarge its boundaries. (11) The Corporation might in the future seek better recognition without any brief or warrant from the Crown. (12) Fourteen Aldermen were provided for; these were to select fourteen Chief Burgesses, and the two bodies were to be called the Common Council. (13) Annually, in September before the feast of Saint Michael the Archangel, the Council was to select one of their number as Bailiff,¹ who should serve for a year unless he died or was removed from office, in which case they should select another of their number to fill the unexpired term. (14) The Bailiff was to have the approval of the Duke of Northumberland (Earl of Warwick). (15) A vacancy among the Aldermen was to be filled in the same manner by the Aldermen, selecting one from the Burgesses, and a vacancy among the Burgesses was to be filled by the Council selecting one from the inhabitants. (16) A Sergeant of the Mace along with constables and others was to be elected annually by the Council to execute the mandates of the Corporation. (17) The Council was to enact such laws and regulations as were necessary for their own conduct and that of the inhabitants. (18) The Charter made Thomas Gilbert the first Bailiff and also

tempore existentium obire vel a loco et Officio suo Aldermanni amoueri quod tunc et tociens bene liceat et licebit alijs Aldermannis eiusdem Burgi ad tunc superuiuentibus vel remanentibus vel maioribus partibus eorundem vnum de Capitalibus Burgensibus Burgi predicti in Aldermannum et ad officium Aldermanni Burgi predicti eligere nominare et perficere loco ipsius morientis vel amoti existentis Et sic de tempore in tempus ac tociens quociens casus sic acciderit Et quod quando-cumque et quocienscumque contigerit aliquem de Capitalibus Burgensibus Burgi predicti pro tempore existentibus obire vel a loco et officio suo Capitalis Burgensis amoueri quod tunc et tociens bene liceat et licebit Aldermannis et Capitalibus Burgensibus Burgi predicti ad tunc superuiuentibus vel remanentibus vel maiori parti eorundem vnum alium de Inhabitantibus Burgi predicti meliorem ac magis probiorem et discretiorem in Capitalium Burgensem et ad officium Capitalis Burgensis Burgi predicti eligere nominare et perficere loco ipsius sic morientis vel amoti existentis Et hoc tociens quociens casus sic acciderit Et Volumus ac per presentes ordinamus et pro nobis heredibus et successoribus nostris concedimus quod in Burgo predicto de cetero sint et erunt duo Officij qui vocabuntur Seruientes ad Clauam pro executione processuum et mandatorum ac aliorum negotiorum in Burgo predicto de tempore in tempus excquendorum et peragendorum quicquidem Seruientes accediam Constabularij ac omnes alij Officij et Ministri necessarii Burgi predicti de tempore in tempus et de anno in annum ad officia sua eligentur et perficientur per Aldermannos et Capitales Burgenses Burgi predicti pro tempore existentes vel per maiorem partem eorundem Et Volumus ac per presentes ordinamus et pro nobis heredibus et successoribus nostris concedimus quod de tempore in tempus bene liceat et licebit Aldermannis et Capitalibus Burgensibus Burgi predicti siue maiori parti eorundem pro tempore existentibus facere condere ordinare et stabilire bona et salubra statuta ordinationes & constitutiones tam pro meliore regimine et gubernacione Balliui Aldermannorum et Capitalium Burgensium ac aliorum Officiorum et Inhabitantium Burgi predicti pro tempore existentium quomodo sese habeant et gerent in officijs et negotijs suis pro bono publico et communi vtilitate Burgi predicti quam pro meliori preseruacione et dispositione terrarum tenementorum possessionum et reuentionum Balliuo et Burgensibus Burgi predicti et successoribus suis datorum concessorum vel assignatorum aut imposterum dandorum concedendorum vel assignandorum ac alijs Burgum predictum ac causas et negotia inde tangentibus seu concernentibus quequidem statuta ordinationes et constitutiones inuiolabiliter obseruari volumus & precipimus per presentes Et Sciatis quod assignauimus nominauimus ordinauimus et constituimus ac per presentes assignamus nominamus ordinamus et constituimus dilectum nobis Thomam Gilbert de Stratford super Avon predicta fore et esse primum et modernum Balliuum dicti Burgi de Stratford super Avon Et quod in Officio Balliui eiusdem Burgi erit

¹ The Gild had Bailiffs long before the Charter of 1553, likewise Aldermen, Proctors, Constables, etc. Ordinarily the head of the Gild was called Master. This Master became the High Bailiff. Under the new charter the Aldermen remained Aldermen, the Proctors became Chamberlains, the Constable continued to be called Constable, the Master of the Free School continued to be identified as Master, the Vicar continued to be Vicar, and the Sergeant of the Mace continued. Whether or not Burgesses existed in the Stratford Gild organization the present editor has not been able to determine. Obviously the Corporation government was a continuation of the Gild organization.

et manebit vsque ad festum Sancti Michaelis Archangeli proximo futurum et in eodem festo quousque alius ad officium illud prefectus et iuratus fuerit si idem Thomas Gilbert tam diu vixerit Accedimus assignamus nominamus ordinamus et constituimus ac per presentes assignamus nominamus ordinamus et constituimus dilectos nobis Ricardum Lorde Hugonem Reynoldes Willelmum Smythe Thomam Phillippes Thomam Wynfeld Johannem Jeffreys Thomam Dixson Georgium Whatley Henricum Biddell Willelmum Whatley Robertum Moors Robertum Pratt Thomam Gilbert et Adrianum Quenye Inhabitantes dicti Burgi de Stratford super Avon fore et esse primos et modernos Aldermannos dicti Burgi de Stratford super Avon quamdiu sese bene gerant in officio illo Et Sciatis quod nos cupientes et volentes quod dicta Domus Elemosinaria in dicto Burgo de Stratford super Avon de cetero manuteneatur et sustineatur Et quod libera Scola Grammaticalis pro eruditione et educatione puerorum et Juvenum ibidem de cetero habeatur et manuteneatur prout antehac vsitatum fuit et vt grandia onera Burgi predicti ac eidem Burgo et Inhabitantibus inde annuatim et de tempore in tempus incumbencia de cetero melius sustineantur et supportentur Ideo de gratia nostra speciali ac ex certa scientia et mero motu nostris dedimus et concessimus ac per presentes damus et concedimus prefato Thome Gilbert modo Ballivo dicti Burgi de Stratford super Avon et Burgensibus eiusdem Burgi et successoribus suis omnia illa mesuagia molendina domos edificia cotagia terras teneamenta horrea gardina shopas cellaria salaria cameras aulas vacua fundamenta redditus reversiones servicia et hereditamenta nostra quaecumque cum eorum pertinentijs vniuersis modo vel nuper in separabilibus tenuris siue occupacionibus Ricardi Quynye Henrici Samwell Ricardi Smythe Johannis Norcot Johannis Nicholles Willelmi Palmer Willelmi Gilbert Nicholai Taylour Johannis Bell Thome Wynfeld Thome fyllle Roberti Waynewright Ricardi Symondes Georgij Whateley Thome Whateley Thome Burford Roberti Bright Johannis Longe [Tonge ?] Willelmi Smythe Thome Walter Johannis Wotton Johannis Jeffreys Thome Dyxson Willelmi Rogers Thome Bell Thome Commander Danielis Phillyppes Christoferi George Henrici Bedell Willelmi Whateley Hugonis Reynoldes Ricardi Symondes Alicie Thompson Willelmi Richardson Georgij Quynye Johannis Archer [Anchor ?] Henrici Bedell Roberti Lewes Johannis Luseum Henrici Ingram Roberti Sampson Thome Dylvyng Johannis Page Ricardi Penryth Willelmi Asshewyke Thome Yate Roberti Honnyet Ricardi Lorde Ricardi Machyn Oliueri Jackson Willelmi Fydkyn Nicholai Eylson alias Wilson Georgij Grene Jacobi Anderton Ricardi Tentur Willelmi Stephyns Willelmi Wynfelde Willelmi Byll Johannis Nevell Edmundi Robertes Willelmi Robyns Oliueri Lightfote Thome Wynfelde Radulphi Caudrye Johannis Gorst Ricardi Colley Radulphi Bate Thome White Johannis Butler Jacobi Hawicke et Egidij Joanes vel assignatorum suorum seu assignatorum eorum alicuius situata iacentia et existentia in church-

listed fourteen persons as the first Aldermen, one of whom was Thomas Gilbert. (19) The Almshouse was to be continued. (20) The Free Grammar School was to be continued. (21) For the support of the Almshouse and the Free School, all the tenancies held by the several [who were listed in the Charter] persons in Stratford-upon-Avon were returned by the Crown to Thomas Gilbert, the new Bailiff. (22) Other tenements were returned to the Gild. (23) The tithes in Wilmeote, Shotton, and Burgtown, of the late Gild were likewise granted to the new Corporation. (24) The Gild Chapel with its tower and bells was granted to the Corporation. (25) All the holdings of the Gild were granted to the Corporation with all the rights thereto belonging as they obtained when possessed by the Masters of the Gild—all of which had passed to the Crown by the Parliamentary Act of 1547, which had dissolved the religious houses throughout the realm. (26) All these possessions were granted as free socage forever. (27) The Corporation was to have all the accustomed income from those possessions forever. (28) The Almshouse for twenty-four paupers was prescribed and ordained. (29) The Free Grammar School was prescribed and ordained. (30) The Master was to receive £20 a year and was to be nominated by the Duke of Northumberland. (31) Stratford-upon-Avon was granted a Market to be held every two weeks and two Fairs a year. (32) A Court of Record, presided over by the Bailiff, was to have jurisdiction over disputes, trespass, and debts up to £30; and all procedure in the Court of Record was to be according to the custom in such Courts. (33) The Sergeant of the Mace was to execute all Court orders, and all fines were to pass to the Corporation. (34) The Corporation was to deal with the Crown directly and not through the lord of the manor; neither of the two jurisdictions was to be encroached upon by the other. (35) The Council was to select annually the Justices of the Peace, who were to conduct their work after the custom of other such justices of the peace. (36) The

Bailiff was to be the Escheator, the Coroner, the Almoner, and the Clerk of the Market—and none other than the Bailiff. (37) The Council was empowered to acquire new lands, rents, etc., to the amount of two hundred marks (£133 6s. 8d.) a year. (38) These lands, rents, etc., were not to be subject to mortgage, any previous acts to the contrary notwithstanding. (39) The interests of the Duke of Northumberland were not to be encroached upon. (40) The tithes of Old Stratford, Welcombe, and Bishopton were ceded to the Corporation—all of which had been in the tenure of John Barker and the late Gild. (41) These tithes were to be turned to the uses of the Corporation—without any dispute. (42) The Corporation was empowered to pay the Vicar of the Parish Church £20 and a pension of £2. (43) The Corporation was empowered to pay the Master of the Free School £20. (44) The Corporation was instructed and directed to make financial provision for paying the Vicar and the Master, each of whom was to be provided with living quarters. (45) The Vicar and the Master, each of whom was to qualify legally to receive his yearly salary, were to have letters patent from the Corporation under its Common Seal. (46) The offices of Vicar and Master were to be perpetual. (47) Special provision was made for maintaining the school as the King's New School of Stratford-upon-Avon where the children and youth might be trained in letters as well as in the customs prevailing and in "undoubtedly appreciating the English Church of Christ." (48) The Master of the School was to be called Master in perpetuity. (49) The Master was to qualify to receive the annual fee of £20 to be paid him. (50) The Bailiff and Burgesses were granted the power to pay the annual fee of £20 each to the Vicar and to the Master, and to provide a house for each. (51) The Vicar and the Master, separately, were granted the power of receiving the annual fee from the Bailiff and the Burgesses. (52) The lands from whose income the Vicar and Master were to be paid were not to be subject to mortgage. (53) The Bailiff

strete Chappell strete Shepestrete Bancrofte High strete Elestrete Rutherstrete Grenchill Woodstrete Henley strete Wyndeford [Wyndesor] Burgestrete et Middle Rewe in Stretford super Avon in predicto Comitatu nostro Warrwick ac alibi vbicumque in Stratford super Avon predicta que fuerunt parcelle possessionum et reuentionum nuper Gilde de Stratford super Avon in predicto Comitatu Warrwick modo dissolute Ac omnia illa redditus et seruicia nobis spectancia et pertinencia ac nuper parcelas possessionum et reuentionum dicte nuper Gilde existentia ac exeuntia de terris et tenementis modo vel nuper Henrici Samwell Johannis Combes Willelmi Ponder alias Sponer Johannis Mongley alias Monyley Johannis Lyttleton Alicie Parrett Ricardi Bromeley Ricardi Sadler et Thome Dyckson in Stratforde super Avon predicta Acciam omnes decimas nostras garbarum bladorum granorum et feni ac alias decimas nostras quascumque annuatim et de tempore in tempus crescentes prouenientes siue renouantes in Wylmecote in dicto Comitatu nostro Warrwick dicte nuper Gilde de Stratford super Avon dudum spectantes et pertinentes ac parcelas possessionum inde nuper existentes Necnon totum illud mesuagium et tenementum nostrum cum pertinentiis modo vel nuper in tenura siue occupacione Ricardi Pace situatum et existens in Shottery in dicto Comitatu nostro Warrwick dicte nuper Gilde dudum spectans et pertinens ac parcelam possessionum inde nuper existens Ac totum illud croftum terre nostrum cum pertinentiis modo vel nuper in tenura siue occupacione Johannis Elyattes iacens et existens in Dodwell in dicto Comitatu nostro Warrwick dicte nuper Gilde dudum spectans et pertinens ac parcelam possessionum inde nuper existens Acciam totum illud mesuagium et tenementum nostrum cum pertinentijs modo vel nuper in tenura siue occupacione Henrici Samwell situatum et existens in Burgetowne in dicto Comitatu nostro Warrwick dicte nuper Gilde dudum spectans et pertinens ac parcelam possessionum inde nuper existens Necnon totum illud croftum terre et pasture nostrum cum pertinentijs modo vel nuper in tenura siue occupacione Ricardi Sharpe iacens et existens in Burgetowne predicta eidem nuper Gilde de Stratford super Avon predicta dudum spectans et pertinens ac parcelam possessionum inde nuper existens Acciam totam illam nuper Capellam vocatam le Guylde Chappell in Stratford super Avon predicta dicte nuper Gilde dudum spectantem et pertinentem Ac totum Campanile eidem nuper Capelle adiacens Ac totum plumbum super dictam nuper Capellam et Campanile existens ac omnes campanas [The Great Bell and also the Little Bell] in eodem Campanile existentes Necnon omnia et singula alia mesuagia molendina domos edificia terras tenementa prata pascuas pasturas decimas horrea stabula columbaria ortos pomaria gardina aquas aquarum cursus gurgites proficua commoditates emolumenta et hereditamenta nostra quecumque cum eorum pertinentijs vniuersis in Stratford super Avon Wylmecote Shotterye Burgetowne Dodwell et Drayton predictis ac alibi vbicumque dicte nuper Gilde de Stratford

super Avon predicta dudum spectantia et pertinentia aut vt partes uel parcelas possessionum seu reuentionum eiusdem nuper Gilde antehac habita cognita accepta vsitata seu reputata existentia Aceciam omnes et omnimodos boscos subboscos et arbores nostras quascumque de in et super premissis crescentes et existentes ac totam terram fundum et solum eorundem boscorum subboscorum et arborum ac reuersionem et reuersiones quascumque omnium et singulorum premissorum et cuiuslibet inde parcellae Necnon redditus et annualia proficua quecumque reseruata super quibuscumque dimissionibus et concessionibus de premissis seu de aliqua inde parcella quoquo modo factis Adeo plene libere et integre ac in tam amplis modo et forma prout aliquis Magister et Confratres dicte nuper Gilde de Stratford super Avon aut aliquis alius siue aliqui alij premissa aut aliquam inde parcellam antehac habentes possidentes aut seisiti inde existentes eadem aut aliquam inde parcellam vnquam habuerunt tenuerunt vel gauisi fuerunt habuit tenuit vel gauisus fuit seu habere tenere vel gaudere debuerunt aut debuit Et adeo plene libere et integre ac in tam amplis modo et forma prout ea omnia et singula premissa ad manus nostras ratione vel pretextu cuiusdam Actus de diuersis Cantarijs Collegijs Liberis Capellis Gildis et Fraternitatibus dissoluendis et determinandis ac alijs in Parlamento nostro tento apud Westmonasterium anno regni nostri primo inter alia editi et prouisi aut ratione vel pretextu alicuius alterius Actus Parlamenti seu quocumque alio modo iure seu titulo deueniunt seu deuenire debuerunt ac in manibus nostris iam existunt seu existere debent vel deberent Duequidem mesuagia molendina decime terre tenementa ac cetera omnia et singula premissa cum pertinentijs modo extenduntur ad clarum annuum valorem quadraginta sex librarum trium solidorum duorum denariorum et vnius obuli Habendum tenendum et gaudendum predicta mesuagia terras tenementa molendina cotagia decimas ac cetera omnia et singula premissa cum eorum pertinentijs vniuersis prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis imperpetuum Tenendum de nobis heredibus et successoribus nostris vt de manerio nostro de Estgrenewiche in Comitatu nostro Kancie per fidelitatem tantum in libero et communi socagio et non in capite pro omnibus redditibus seruicijs et demandis quibuscumque Et vterius de ampliori gracia nostra damus ac per presentes concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon omnia exitus redditus reuentiones et proficua predictorum mesuagiorum terrarum tenementorum molendinorum decimarum ac ceterorum omnium et singulorum premissorum cum eorum pertinentijs vniuersis a festo Sancti Michaelis Archangeli vltimo preterito hucusque prouenientium siue crescentium Habendum eisdem Balliuo et Burgensibus ex dono nostro absque compoto seu aliquo alio proinde nobis heredibus vel successoribus nostris quoquo modo reddendo soluendo vel faciendo Et volumus ac per presentes ordinamus quod Domus Elemosinaria in dicto Burgo de Stratford super Avon per Ballium et

and Burgesses were required immediately to make sufficient donation and concession to take care of the salary of the Vicar and the Master. (54) The Bailiff and Burgesses were to have the royal letters patent for the Corporation "without fine or fief." (55) The grants and gifts of these letters patent were not to be voided by any past acts to the contrary. (56) The Charter was officially examined, witnessed, and sealed.

The several fundamental precepts and provisos of this 1553 Charter merely emphasized the very well-known continuity of English institutions. Local customs and local practices were regularly observed and tended to prevail in perpetuity; the new was ever modeled on the old. Free institutions, rights, and liberties recur again and again. They were a choice possession to be jealously guarded and passed on inviolate to the next generation. The old charter had been granted by an ecclesiast and the new one was granted by a royal sovereign; their organic content, however, was much the same. The entire English realm was thus bound up in terms of local practice and local custom. Those local customs were rooted deep, very deep, in the precepts of the old Anglo-Saxons. This charter of 1553 was but an exemplification of those precepts and principles as applied to the local self-government of the Corporation of Stratford-upon-Avon. Among the English self-government, fundamental liberties and rights, and land tenure were fundamental considerations. These appear and reappear in the charter of 1553. Moreover, there was virtually no change in the government of Stratford-upon-Avon under the Corporation in contrast to that under the old Gild. But the Charter of 1553 gave a new lease of life to the Borough. John Shakespeare had come to Stratford-upon-Avon at a most opportune time. The newly incorporated Borough proffered far more, in the way of opportunity, than did the very rural hamlet, Snitterfield, where he was born. Both in his trade as a glover and in the civic-political life of the town, John Shakespeare developed into a definitely conspicuous figure.

Burgenses eiusdem Burgi et successores suos de cetero continuabitur cum viginti et quatuor pauperibus personis hominibus et mulieribus in eadem continuo sustinendis Et quod Balliuus et Burgenses Burgi predicti pro tempore existentes soluent et deliberabunt cuilibet earundem pauperum personarum qualibet ebdomada quatuor denarios Et quod iidem pauperes habeant mansiones et habitaciones suas in dicta Domo Elemosinaria ac omnia terras tenementa ac alia commoditates emolumenta et proficua que vltra dictos quatuor denarios cuilibet eorum qualibet ebdomada antehac habuerunt et habere consueuerunt Et volumus ac per presentes ordinamus quod Balliuus et Burgenses Burgi predicti et successores sui de tempore in tempus imperpetuum habeant et habebunt ordinem et gubernacionem dicte Domus Elemosinarie ac pauperum in eadem manentium Et volumus ac per presentes ordinamus quod de cetero sit et erit vna Libera Scola Grammaticalis pro erudicione et educacione puorum et Juuenum in dicto Burgo de Stratford super Avon imperpetuum continuanda Et quod Balliuus et Burgenses eiusdem Burgi et successores sui soluent annuatim Pedagogo eiusdem Scole pro tempore existenti viginti libras legalis monete Anglie pro vadio et stipendio suo ad festa Natiuitatis Sancti Johannis Baptiste Sancti Michaelis Archangeli Natalis Domini et Annunciacionis Beate Marie Virginis per equales porciones soluendas Et quod electio et nominacio Pedagogi Scole predictae pro tempore existentis ad dictum Ducem Northumbrie heredes et assignatos suos Dominos dicti Burgi de Stratford super Avon pro tempore existentes spectabit et pertinebit Et volumus ac per presentes pro nobis heredibus et successoribus nostris concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis quod de cetero imperpetuum habeant et teneant ac habere et tenere valeant et possint vnum Marcatum qualibet die Jouis singulis septimanis dicto Burgo de Stratford super Avon ac duas Nundinas ibidem annuatim tenendas et custodiendas videlicet vnas Nundinas ibidem tenendas annuatim in festo Exaltacionis Sancte Crucis [September 14] ac in vigilia et crastino eiusdem festi Ac alias Nundinas ibidem tenendas annuatim in festo Inuencionis Sancte Crucis [May 3] et crastino eiusdem festo vnacum Curia Pedis Puluerisati ibidem durante tempore earun-

dem Nundinarum simulcum stallagio picagio finibus amerciamentis ac omnibus alijs proficuis commoditatibus et emolumentis quibuscunque de huiusmodi Marcato Nundinis et Curia Pedis Puluerisati prouenientibus accidentibus emergentibus seu contingentibus ac cum omnibus libertatibus et liberis consuetudinibus ac [sic] huiusmodi Marcatum et Nundinas pertinentibus seu spectantibus Et volumus ac per presentes concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis quod ipsi de cetero imperpetuum habeant et teneant ac habere et tenere valeant et possint vniam Curiam de Recordo in Burgo de Stratford super Avon predicta qualibet secunda septimana videlicet a quindecim diebus in quindecim dies coram Balliuo eiusdem Burgi pro tempore existente tenendam de placitis querelis et accionibus personalibus de debitis compotis transgressionibus convencionibus con tractibus detencionibus et contemptibus infra dictum Burgum de Stratford super Avon et Jurisdiccione inde emergentibus seu emergendis contingentibus seu contingendis Dum tamen huiusmodi debita dampna seu cause non attingunt ad summam triginta librarum Et quod huiusmodi placita querele et acciones ibidem audientur et determinantur per tales et consimiles processus per quales et prout legi nostre consonum fuerit et in aliqua alia Curia de Recordo de huiusmodi placitis querelis et accionibus antehac vsitatum et consuetum fuit seu fieri debeat Et quod Seruientes ad Clauam dicti Burgi de Stratford super Avon pro tempore existentes omnia Juratas panella inquisitiones attachamenta precepta mandata warranta Iudicia processus ac alia quecumque necessaria facienda causas predictas aut alias causas [infra] Villam et Burgum de Stratford super Avon predicta tangencia seu concernentia faciant et exequantur prout eis preceptum fuerit iuxta legis exigentiam ac prout in consimilibus casibus antehac vsitatum fuit seu fieri debeat in aliqua alia Curia de Recordo Et quod Balliuus et Burgenses dicti Burgi de Stratford super Avon et successores sui habeant et habebunt omnia fines amerciamenta et alia proficua de et in Curia predicta aut racione vel pretexto eiusdem Curie emergentia accidentia seu contingentia Et volumus ac per presentes pro nobis heredibus et successoribus nostris Concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et suc-

cessoribus suis quod de cetero habeant et habebunt returna omnium breuium et preceptorum nostrorum heredum et successorum nostrorum et execuconem eorundem infra Burgum de Stratford super Avon predicta per Vicecomitem nostrum heredum et successorum nostrorum Comitatus Warrwick exequendum Et quod Vicecomes noster heredum et successorum nostrorum Comitatus Warrwick pro tempore existens aut Balliui vel alij Ministri sui in Burgum de Stratford predicta quouismodo non ingrediantur nec se ibidem intromittant ad aliquod faciendum seu exequendum quod ad officium Vicecomitis pertineat ibidem faciendum seu peragendum Ac etiam volumus et ordinamus quod dictus Balliuus et vnus predictorum Aldermannorum per predictos Aldermannos et Burgenses vel per minorem partem eorundem annuatim eligendus de cetero sint et erunt Justiciarij Pacis Burgi predicti de et pro omnibus que ad Justiciam Pacis pertinent inquirendis audiendis et determinandis infra precinctum metas limites bundas et perambulaciones Burgi predicti emergentibus in tam amplis modo et forma prout alij Justiciarij Pacis in aliquo Comitatu regni nostri Anglie facere possint et consueuerunt Et volumus ac per presentes ordinamus et concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis quod Balliuus eiusdem Burgi pro tempore existens de cetero de tempore in tempus sit et erit Eschactor Coronator Eleemosinarius nostri heredum & successorum nostrorum ac Clericus Marcati nostri heredum et successorum nostrorum infra dictum Burgum de Stratford super Avon Et quod faciat et exequatur omnia et singula que ad officia Eschactoris Coronatoris Eleemosinarij et Clerici Marcati spectant et pertinent ibidem facienda et peragenda Et quod nullus alius Eschactor Coronator Eleemosinarius seu Clericus Marcati nostri heredum vel successorum nostrorum Burgum de Stratford super Avon predicta quouismodo ingrediat vel ingrediantur seu se ibidem intromittat vel intromittant ad aliquod ibidem faciendum seu peragendum quod ad officia Eschactoris Coronatoris Eleemosinarij seu Clerici Marcati pertinent ibidem faciendum et peragendum Et vltius de ampliori gracia nostra concessimus et licentiam dedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis quod ipsi terras tene-

menta redditus reuercones possessiones et hereditamenta vsque ad annum valorem ducentarum marcarum [*£* 133 6s. 8d.] acquirere possint et habere sibi et successoribus suis de quacunque persona seu quibuscunque personis ea eis vel successoribus suis dare legare vendere concedere seu assignare volente seu volentibus Et huiusmodi persone seu personis quod ipse huiusmodi terras tenementa annuitates redditus possessiones et hereditamenta vsque ad annum valorem predictum eisdem Balliuo et Burgensibus et successoribus suis dare concedere vendere assignare et legare valeat et valeant Habendum et tenendum sibi et successoribus suis sicut predictum est imperpetuum similiter licenciam dedimus et concessimus specialem Et hoc absque aliquo alio breui ad quod dampnum seu aliquo alio mandato regio aut aliquibus inquisitionibus superinde capiendis et in Cancellariam nostram retornandis et absque aliquibus alijs breuibz seu litteris regijs patentibus in hac parte prosequendis fiendis seu habendis Statuto de terris et tenementis ad manum mortuam non ponendis aut aliquo alio statuto actu ordinatione seu prouisione in contrarium facto edito seu ordinato non obstante Prouiso tamen semper ac per presentes volumus et ordinamus quod hee littere nostre patentes nec aliqua concessio sententia vel clausula in eisdem contenta aut specificata minime se extendant ad detrimentum diminucionem seu derogacionem quarumcumque libertatum [*sic*] priuilegiarum preheminentiarum commoditatum [*sic*] concessionum aut hereditamentorum quorumcumque predicti Ducis Northumbrie aut heredum suorum vel eundem Ducem aut heredes suos quocunque modo concernentium vel tangentium aut alios quoscunque antehac Dominos predicti Burgi et Manerij de Stratford super Avon predicta Ac vltius de ampliori gracia nostra dedimus et concessimus ac ex certa sciencia et mero motu nostris per presentes damus et concedimus prefatis Balliuo & Burgensibus dicti Burgi de Stratford super Avon et successoribus suis omnes et omnimodas decimas granorum et feni prouenientes crescentes seu renouantes in Villas et Campis de Olde Stratforde Welcombe et Busshopeston in dicto Comitatu nostro Warrwick modo vel nuper in tenura Johannis Barker ac nuper Collegio de Stratford super Avon in dicto Comitatu nostro Warrwick dudum spectantes et pertinentes ac parcel-

las possessionum inde existentes Aceciam omnes et omnimodas decimas lane agnellorum et alias minutas et priuatas decimas ac oblaciones et alteragia quecumque prouenientia crescentia seu renouantia infra totam Parochiam de Stratford super Avon predicta et dicto nuper Collegio de Stratford super Avon dudum spectantia et pertinentia ac modo vel nuper in tenura Willelmi Barker Generosi vel assignatorum suorum existentia Ac reuersionem et reuersiones quascumque predictarum decimarum et cuiuslibet inde parcellae Ac redditus reuenciones et alia annualia proficua quecumque reseruata super quibuscumque dimissionibus seu concessionibus de predictis decimis seu de aliqua inde parcella factis reseruata Duequidem decime oblaciones et alteragia modo extenduntur ad clarum annum valorem triginta quatuor librarum Habendum tenendum et gaudendum predictas decimas oblaciones et alteragia cum eorum pertinentijs vniuersis prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon et successoribus suis imperpetuum Tenendum de nobis heredibus et successoribus nostris vt de manerio nostro de Estgrenewich in comitatu Kancie in libero et communi socagio per fidelitatem tantum et non in capite pro omnibus alijs redditibus seruicijs et demandis quibuscumque proinde nobis heredibus vel successoribus nostris quoquo modo reddendis soluendis vel faciendis Aceciam volumus ac ex certa sciencia et mero motu nostris ac auctoritate nostra regia suprema et ecclesiastica qua fungimur pro nobis heredibus et successoribus nostris per presentes concedimus prefatis Balliuo et Burgensibus quod iidem Balliuus et Burgenses successores sui habeant teneant gaudeant et in vsus suos proprios conuertent ac habere tenere et gaudere ac in vsus suos proprios conuerrere valeant et possint predictas decimas oblaciones et alteragia et quamlibet earundem parcellam adeo plene et integre ac in tam amplis et consimilibus modo et forma prout nuper Gardianus dicti nuper Collegij de Stratford super Avon aut aliquis vel aliqui predecessorum suorum iure nuper Collegij illius predicta decimas oblaciones et alteragia aut aliquam inde parcellam habuit tenuit vel gauisus fuit ac in vsus suos proprios conuertebat habuerunt tenuerunt vel gauisi fuerunt ac in vsus suos proprios conuertebant seu habere tenere gaudere ac in vsus suos proprios conuerrere potuit aut potuerunt debuit aut debuerunt

ratione aut modo quocumque Aliquo statuto actu ordinatione prouisione prohibitione constitutione seu consuetudine in contrarium antehac habito facto edito ordinato seu prouiso aut aliqua alia re causa seu materia quacumque in aliquo non obstante Damus eciam pro consideratione predicta ac ex certa sciencia et mero motu nostris per presentes concedimus prefatis Balliuo et Burgensibus dicti Burgi de Stratford super Avon omnia et singula exitus redditus reuenciones et proficua predictarum decimarum et ceterorum premissorum a festo Annunciacionis Beate Marie Virginis vltimo preterito hucusque prouenientia siu[e] crescentia Habendum eisdem Balliuo et Burgensibus ex dono nostro absque compoto seu aliquo alio proinde nobis heredibus vel successoribus nostris quoquo modo reddendo soluendo vel faciendo In quorum omnium consideratione volumus et ordinamus ac predicti Balliuus et Burgenses dicti Burgi de Stratford super Avon pro se et successoribus suis concedunt per presentes quod ipsi et successores sui annuatim et de tempore in tempus imperpetuum soluent seu solui faciant Vicario Perpetuo in Ecclesia Parochiali de Stratford super Avon predicta per nos per presentes incorporando ac per predictum Ducem Northumbrie heredes et assignatos suos Dominos eiusdem Burgi de Stratford super Avon nominando et successoribus suis Vicarijs in eadem Ecclesia viginti libras per annum ad festa Sancti Michaelis Archangeli et Annunciacionis Beate Marie Virginis per equales porciones soluendas nomine cuiusdam annualis pencionis in dotacionem Vicarie sue assignande et appunctuande Aceciam quadraginta solidos per annum vltra dictas viginti libras pro decimis eiusdem pencionis siue dotaciones Vicarie predictae annuatim per eundem Vicarium et successores suos nobis heredibus et successoribus nostris ad Curiam Primitiarum et Decimarum nostrarum ad festum Natalis Domini soluendos Aceciam quod iidem Balliuus et Burgenses et successores sui Balliuus et Burgenses dicti Burgi de Stratford super Avon predicta soluant seu solui faciant annuatim et de tempore in tempus imperpetuum Magistro siue Pedagogo Scole nostre in Stratford super Avon predicta per nos per presentes similiter erigendo et incorporando ac per predictum Ducem heredes et assignatos suos Dominos dicti Burgi de Stratford super Avon de tempore in tempus nominando et successoribus

bus suis Magistris siue Pedagogis eiusdem Scolę viginti libras ad dicta festa Sancti Michaelis Archangeli et Annunciacionis Beate Marie Virginis per equales porciones soluendas Et quod ijdem Balliuus et Burgenses immediate post sigillationem harum litterarum nostrarum patencium facient seu fieri causabunt sufficientes seperales donaciones et concessiones tam predictas Vicario et Magistro siue Pedagogo et eorum alteri et successoribus suis et successorum eorum alterius [*sic*] de conuenientibus domibus habitaculis siue mansionibus infra dictam Villam de Stratford super Avon pro seperalibus habitacionibus et mansionibus eorundem Vicarij et Magistri siue Pedagogi et successorum suorum imperpetuum per cartam eorundem Balliui et Burgensium sub Sigillo suo Comuni fiendam et Sigillandam Necnon quod ijdem Balliuus et Burgenses Burgi de Stratford super Avon predicta et successores sui Balliuus et Burgenses eiusdem Burgi sumptibus suis proprijs annuatim de tempore in tempus imperpetuum inuenient dabunt soluentque Capellano Presbitero in dicta Ecclesia Parochiali de Stratford super Avon annuatim imperpetuum descruitturo ac dicto Vicario assistenti decem libras legalis monete Anglie pro stipendio et salario suo ad dicta festo Sancti Michaelis Archangeli et Annunciacionis Beate Marie Virginis per equales porciones soluendas Et vt omnia et singula premissa debitum sortire valeant effectum ac firmis Jacturis fundamenti imperpetuum duraturum in suo robore et virtute durent et permaneant imperpetuum Vltorius volumus ac authoritate nostra regia suprema et ecclesiastica qua fungimur pro nobis heredibus et successoribus nostris per presentes concedimus quod in Ecclesia Parochiali de Stratford super Avon predicta sit et erit Vicarius Perpetuus per predictum Ducem Northumbrie heredes et assignatos suos Dominos eiusdem Ville pro tempore existentes nominandus ac loci illius Ordinario et Diocesano presentandus Quiquidem Vicarius sic nominatus et presentatus nominabitur et erit Vicarius Perpetuus dicte Ecclesie de Stratford super Avon predicta Habeatque successionem perpetuam ipseque et successores sui loco Rectoris erit residenciam inibi faciat hospitalitatem fouebit et curam animarum Parochianorum ibidem geret ceteraque omnia faciet et exequetur que ad officium Rectoris siue Vicarij pertinere dinoscitur

Volumus eciam et authoritate nostra predicta per presentes concedimus quod idem Vicarius et successores sui per nomen Vicarij Perpetui Ecclesie Parochialis de Stratford super Avon predicta sint et erunt persone habiles et in lege capaces ad recipiendum et perquirendum sibi et successoribus suis Vicarijs Perpetuis eiusdem Ecclesie de predictis Balliuo et Burgensibus dicti Burgi de Stratford super Avon quandam annualem pencionem siue annuitatem viginti librarum per annum pro Vicaria sua inibi dotanda et quadraginta solidos per annum pro decima Vicarie predictę annuatim nobis heredibus et successoribus nostris vt prefertur soluendos cum clausula districtionis pro securitate solucionis eorundem annualium reddituum et eorum alterius fiende Et per idem nomen et sub eo nomine prosecui clamare et placitare ac implacitari defendere et defendi respondere et responderi in quibuscumque Curijs et locis regni nostri ac dominiorum iurisdiccionum et potestatum nostrorum heredum et successorum nostrorum quorumcumque in et super omnibus et singulis causis accionibus sectis debitis demandis et querelis realibus personalibus et mixtis tam temporalibus quam spiritualibus et in omnibus alijs rebus causis et materijs quibuscumque dictas annuales redditus penciones siue annuitates viginti librarum et quadraginta solidorum siue aliquam inde parcellam tangentibus siue concernentibus Acciam volumus ac ex certa sciencia et mero motu nostris et auctoritate nostra regia suprema et ecclesiastica qua fungimur pro nobis heredibus et successoribus nostris per presentes concedimus prefato Vicario Perpetuo Ecclesie Parochialis Ville de Stratford super Avon predicta pro tempore existenti et successoribus suis Vicarijs Perpetuis eiusdem Ecclesie pro tempore existentibus quod idem Vicarius et successores sui habeant teneant vtantur et gaudeant ac habere tenere vti et gaudere possint et valeant in et per integram Parochiam de Stratford super Avon tot talia tanta eadem huiusmodi et consimilia peculiare iurisdicciones exempcionis probaciones testamentorum Curias correcciones puniciones ac cetera iura ecclesiastica et spiritualia quecumque quot qualia quanta et que Gardianus dicti nuper Collegij de Stratford super Avon pro tempore existens aut aliquis vel aliqui predecessorum suorum aut aliquis alius siue aliqui alij habuit tenuit vsus vel gausus fuit habuerunt

tenuerunt vsi vel gauisi fuerunt seu habere tenere vti vel gaudere debuit aut debuerunt potuit aut potuerunt in predicta Parochia de Stratford super Avon et ceteris premissis aut in aliqua inde parcella racione aut modo quocumque Ac vltius sciatis quod nos singulari ducti amore et effectum quo subditos regni nostri im- puberes in dictum comitatum nostrum Warrwick non parum prosequimur vt imposterum ab incunabulis politioribus imbuti litteris quam ante nostra tempora erat solitum cum ad prouectiorem deuen- erint etatem erudiciores euadant sic nimirum existi- mantes Ecclesiam Christi Anglicanam cuius vices in terris immediate gerimus non minus in re litteraria doctis quam prudentia ad vniuersi regni nostri com- modum ornari decorarique quandam Liberam Sco- lam Grammaticalem in dicta Villa de Stratford super Avon de vno Magistro siue Pedagogo tenore presen- cium realiter et ad plenum creamus erigimus funda- mus ordinamus facimus et stabilimus perpetuis fu- turis temporibus duraturam Et sic stabiliri et imper- petuum inuiolabiliter observari volumus et iubemus per presentes Et quod dicta Scola sic per nos fundata creata crecta et stabilita vulgariter the Kynges Newe Scole of Stratford vpon Avon imperpetuum vocetur nominetur et appelletur ac quod in eadem Scola erit Magister siue Pedagogus predictum Ducem North- umbrie heredes et assignatos suos Dominos Burgi de Stratford super Avon predicta pro tempore existentes de tempore in tempus nominandus et appunctuandus Quiquidem Magister siue Pedagogus sic nominatus seu appunctuatus per nomen magistri siue Pedagogi Libere Scole de Stratford super Avon vocetur appel- letur et nuncupetur ipsumque per idem nomen vocari et imperpetuum nuncupari volumus et iubemus per presentes Aceciam volumus quod idem Magister siue Pedagogus et successores sui Magistri siue Pedagogi dicte Scole de Stratford super Avon predicta habeant et habebunt successionem perpetuam et sint persone habiles et capaces tam ad recipiendum et perquiren- dum sibi et successoribus suis Magistris siue Peda- gogis eiusdem Scole de predictis Burgensibus Ville de Stratford super Avon predicta quendam annualem redditum pensionem siue annuitatem viginti librarum per annum cum clausula districcionis pro securitate solucionis eiusdem quam eciam quecumque alia ter- ras tenementa possessiones et hereditamenta de qui-

buseumque personis siue quacumque persona vltra dictum annualem redditum siue pensionem viginti librarum dummodo non excedent annum valorem viginti librarum per annum Volumus eciam ac pro nobis heredibus et successoribus nostris per presentes concedimus prefatis Balliuo et Burgensibus dicte Ville de Stratford super Avon quod iidem Burgenses dare possint et concedere tam prefato Vicario Perpetuo dicte Ecclesie Parochialis Ville de Stratford predicta et successoribus suis Vicarijs Perpetuis eiusdem Ec- clesie predictos annuales redditus pensiones siue an- nuitates viginti librarum per annum et quadraginta solidorum per annum ad domum et mansionem con- uenientem pro dicto Vicario et successoribus suis Vi- carijs ibidem inhabitandam quam prefato Magistro siue Pedagogo dicte Scole nostre de Stratford super Avon et successoribus suis Magistris siue Pedagogis eiusdem Scole predictum annualem redditum pen- sionem siue annuitatem viginti librarum per annum ac domum et mansionem conuenientem pro predicto Magistro siue Pedagogo et successoribus suis Magis- tris siue Pedagogis ibidem inhabitandam cum clau- sula districcionis in omnibus et singulis premissis pre- concessis per cartas suas seperales sub dicto Sigillo suo Communi conficiendas et sigillandas aut aliter quo- cumque modo et eidem Vicario et successoribus suis ac dicto Magistro siue Pedagogo et successoribus suis quod ipsi seperatim predictos seperales annuales red- ditus pensiones siue annuitates modo et forma pre- dictis de predictis Burgensibus capere et recipere pos- sint et valeant licenciam dedimus et damus pro nobis et successoribus nostris Statuto de terris et tenementis ad manum mortuam non ponendis aut aliquo alio statuto siue ordinacione in contrarium facto non ob- stante Et vt predictus Vicarius et successores sui ac Magister siue Pedagogus predictus et successores sui habeant teneant et gaudeant predictos seperales an- nuales redditus pensiones siue annuitates secundum formam et intencionem harum litterarum nostrarum patencium [Et] predicti Balliuus et Burgenses dicti Burgi de Stratford super Avon pro et in consi- deracione premissorum concedunt pro se et successoribus suis Balliuo et Burgensibus eiusdem Ville quod ipsi immediate et absque vlla dilacione post confec- tionem et sigillacionem harum litterarum nostrarum patencium facient seu fieri causabunt tam sufficientem

donacionem et concessionem per cartam suam sub dicto sigillo nostro Communi confirmandam et sigillandam prefato Vicario Perpetuo per predictum Ducem Northembrie et heredes suos Domini Ville predictie pro tempore existentes et predictum nominando dicte Ecclesie de Stratford super Avon predicta et successoribus suis Vicarii Perpetui eandem Ecclesie de predictis annuatim reddita per nos et nos annuatim viginti librarum et in forma predicta solvendi et ex parte de premissis presentem cum clausula destinationis in eandem quam sub eadem donacionem et concessionem nunciat per cartam suam sub sigillo nostro Communi confirmandam et sigillandam prefato Magistro sive Pedagogo dicte Scolæ nostre de Stratford super Avon et successoribus suis Magistris sive Pedagogi eandem Scolæ de predictis annuatim reddita viginti librarum ex parte de premissis presentem cum clausula destinationis in eandem et in forma predicta solvendi et in forma predicta solvendi Statum de terris et tenementis ad manum nostram et in per nos et aliquos alios statuto lege et consuetudine per nos et nos et causa quocumque in aliquo non obstante Salvo tamen et prefato Duce Northembrie et heredibus suis Domini predicti Burgi de Stratford super Avon pro tempore existentibus vicario permanenti presentem nominacione de manu et ex concessione tam dicti Vicarii Perpetui dicte Ecclesie Parochiale de Stratford super Avon predicta et successorum nostrorum Vicariorum eandem Ecclesie quam nominacione et donacione predicti Magistris sive Pedagogi dicte Scolæ nostre dicte Ville de Stratford super Avon predicta et successorum nostrorum Magistrorum eandem Scolæ Ac salvis nobis heredibus et successoribus nostris omnino reservatis decimis eiusdem Vicarie annuatim solvendis Salvis etiam simili modo reservatis primis fructibus eiusdem Vicarie per successores Vicarii predicti post hanc vicem solvendis prout iustum est cum acciderit Volumus etiam ac per presentes concedimus prefatis Ballivo et Burgensibus dicti Burgi de Stratford super Avon quod habeant et habebunt has litteras nostras patentes sub Magno Sigillo nostro Anglie debito modo factas et sigillatas absque fine seu feodo magno vel parvo nobis in Hanaperio nostro seu alibi ad vsum nostrum proinde quoquo modo reddendo solvendo vel faciendo Eo quod expressa mencio de vero valore annuo aut de certitudine premissorum siue eorum alicuius

aut de alijs donis siue concessionibus per nos vel per aliquem progenitorum nostrorum prefatis Ballivo et Burgensibus dicti Burgi de Stratford super Avon predicta ante hec tempora factis in presentibus in presentibus [sic] minime facta existit Aut aliquo statuto actu ordinatione provisione siue restrictione inde in contrarium facto edito ordinato siue promisso aut aliqua alia re causa vel materia quocumque in aliquo non obstante In cuius rei testimonium has litteras nostras fieri fecimus potentes Teste me ipso apud Westmonasterium vicidmo octavo die Junij anno regni nostri septimo

Walerat

per breve de Privato Sigillo et de data predicta auctoritate Parlamenti

Examinatum per H. Chawselde Irrotulatum
I. S. in officio Johannis Haubie Auditoris

[Endowment]: Ita carta placitatur
et allocatur coram
Domina Regina
apud Westmonasterium Termino
Pasche anno regni
Elizabethæ Regine
nunc secundo

*Rotulo primo
inter Placita
Regine.*

[An English translation of the legal Latin is as follows]:

Edward VI, by the grace of God, King of England, France, and Ireland and Defender of the Faith in the land of ecclesiastical England and Ireland and Supreme Head, sends greetings to all into whose presence this letter shall come.

Whereas the Borough of Stratford-upon-Avon in our County of Warwick was an old Borough in which Borough a certain Guild was hitherto founded and endowed with divers lands, tenements, and possessions from whose rents, incomes, and profits a certain free Grammar School might be maintained and sustained for the education and instruction of the children and youth, and a certain Alms House for twenty-four paupers might therein similarly be maintained and sustained, and a certain large stone bridge called Stratford Bridge situated and constructed over and across the water and stream of Avon near the aforesaid Borough might be maintained and repaired

from time to time. And whereas this certain Guild has now [1547] been dissolved and its lands, tenements, and possessions have recently come into our hands and now remain in our hands. And whereas the inhabitants of the Borough of Stratford aforesaid, from a time beyond the memory of man, have had and enjoyed divers franchises, liberties, and free customs, jurisdictions, privileges, reversions, and quitances, both in the manner and form of the aforesaid Guild, by reason and pretext of charters, concessions, and confirmations made in ancient times by our progenitors to the masters and brethren of the aforesaid Guild and of things otherwise done in the past, which the same inhabitants of the aforesaid Guild are now very little able to have and to enjoy because the aforesaid Guild is dissolved and for other reasons now apparent to us, it appears likely that the aforesaid Borough and the government thereof may from time to time reach a lower status if a remedy be not soon provided. On which grounds the inhabitants of the Borough of the aforesaid Stratford have humbly prayed us that we grant to them our favor and abundant grace for the betterment of the aforesaid Borough and government thereof and for the support of the great burdens which they from time to time are required and ought to support and to sustain, and that we deem it worthy to make, set up, and create those same inhabitants into a body corporate and politic.

Be it known that we, graciously assenting to the aforesaid petition,* from our special grace and certain knowledge and genuine motive, for us, our heirs, and our successors, do grant to these inhabitants of the Borough of the aforesaid Stratford-upon-Avon that that Borough may and shall be a free Borough forever and that that Borough, in perpetuity with one Bailiff and Burgesses, may and shall be corporate in deed and name forever; and we, by these presents, for us, our heirs, and our successors forever, do in reality and to the full set up, make, ordain, and create

that Borough to be a body corporate and politic in itself forever with one Bailiff and the Burgesses. And be it known that the inhabitants of the same Borough existing now and for all time to come may and shall be one body corporate and one community perpetual in fact and in name by the name of Bailiff and Burgesses of the Borough of Stratford-upon-Avon. And be it known that they by the same name may and shall be persons capable in law for having, acquiring, receiving, and possessing lands, tenements, liberties, franchises, and inheritances for themselves and their successors in fief forever and all things and other individual deeds and things yet to be done. And by the same name they shall have power to plead and to answer a plea and to defend and be defended both in all Courts and places and in the presence of any judges, whether justices or other persons, in all and singular actions, complaints, causes, matters, and demands of whatsoever nature they may be in the same manner and form as our other attorneys shall have power to plead and answer to a plea and to defend and be defended. And be it known that they may have and shall have a Common Seal for lawsuits and actions to be used in all their transactions whatsoever. And we wish and by these presents do ordain and grant for us, our heirs, and our successors that the aforesaid Borough of Stratford-upon-Avon may extend and enlarge its boundaries and precincts there and the jurisdiction of them in other respects and that they shall have the power to extend and enlarge them as much in length and width as in circuit to such and similar bounds, extremities, and limits as those to which the aforesaid Borough of Stratford-upon-Avon and its surroundings, precincts, and jurisdiction there from a time not existing in the memory of man or at any other time afterwards or before extended and expanded and were accustomed to extend and to expand. And be it known that it is well permitted and shall be permitted for the Bailiff and Burgesses existing for the time and for their heirs and successors in the Borough of Stratford-upon-Avon there to make inspection or inspections for true and better recognition to be had there as often as it shall be pleasing to them and may seem to them to be necessary and without brief or warrant therefor from us, our heirs, and our successors in this part in every way.

* This petition on the part of the Stratford inhabitants has never been found. Its exact date, before 1553, is not known. The names of the petitioners can only be surmised: no doubt some of them were the prominent members of the old Gild and no doubt some of those persons were those whose names appear later in this very charter and into whose custody the affairs of the new government were placed. A number of those citizens came to be prominent in the civic affairs of the new Corporation.

And we wish and, by these presents, and through our abundant grace do grant for us, our heirs, and successors that there may be and shall be forever in the aforesaid Borough fourteen from the better, more worthy, and more discreet inhabitants of the same Borough who shall be called Aldermen of the Borough and these same Aldermen shall have the power and shall be able to elect, set up, and designate fourteen others from the rest of the better and more discreet inhabitants of the aforesaid Borough who shall be called the Chief Burgesses† of the said Borough. And these same Aldermen and Chief Burgesses shall become, and shall be called the Common Council of the aforesaid Borough in regard to all affairs, matters, causes, and negotiations pertaining to and concerning the aforesaid Borough and the rule and government there. And the same Aldermen and Chief Burgesses or the majority of them existing at that time may and shall have annually, and in every year, the power and authority, in the month of September before the feast of Saint Michael the Archangel, to select and nominate one from among them who will be the Bailiff of the aforesaid Borough for one full year; and he that is so elected and so nominated to the office of Bailiff of the aforesaid Borough for one full year shall be appointed and sworn in in the accustomed manner; and if and when any of these Bailiffs within one year after he shall have been selected and sworn to the office of Bailiff of the aforesaid Borough, as stated, should happen to die or to be removed from office, then and only then it may well be permitted and shall be permitted for the Aldermen and Chief Burgesses of the aforesaid Borough existing at that time, or a majority of the same,

† The newly appointed aldermen soon selected from the inhabitants the following Principal Burgesses: William Fidkin, who was an old Proctor of the Gild; William Minske, who was a draper and a victualer; Daniel Phillips; John Burbage; Francis Harbage, who was a skinner and victualer in Corn Street; Laurence Bainton, a mercer in High Street; William Smith, a corsiver in High Street; Richard Harrington, yeoman, who operated Bott's Shop in Middle Row; Rafe Cawdrey; Lewes ap Williams (Welshman), who was an iron-monger, a victualer, and a fishmonger in High Street; Roger Sadler, a baker in Henley Street and later in High Street; Robert Perrott, yeoman and brewer, who later declined to be High Bailiff; George Turner; Richard Simons, lawyer, scrivener, and yeoman, who served the Corporation long and faithfully (1534-35 onwards) as Town Clerk. These persons were only less conspicuous in the Borough than those selected as Aldermen in the new Corporation.

to elect and set up a Bailiff. And he thus elected and set up may and shall exercise the office of Bailiff of the aforesaid Borough during the remainder of the year; and thus as often as it thus happens. Provided always that in the election and nomination of the Bailiff of the aforesaid Borough existing at that time the assent and consent of our most beloved kinsman and our advisor, John, Duke of Northumberland,‡ recently Lord of the aforesaid Borough, and of the heirs and assignees of our Lord of the aforesaid Borough existing at that time, shall be had before the one so elected to that office shall be sworn in. And we wish and, by these presents, do ordain and grant that whenever it happens that some one of the Aldermen of the aforesaid Borough existing at the time should die or be removed from his place and office of Alderman, then and only then it may well be permitted and shall be permitted for the Aldermen of that Borough surviving then or remaining or the majority of them to elect, nominate, and appoint, in the place of the one who died or was removed while alive, one of the Chief Burgesses of the aforesaid Borough; and thus from time to time and as often as it may thus happen. And whenever, and as often as it happens, some one from the Chief Burgesses of the aforesaid Borough existing at that time should die or be removed from his place and office of the Chief Burgesses, then and only then it may well be permitted and shall be permitted for the Aldermen and the Chief Burgesses of the aforesaid Borough then surviving or remaining or the majority of them to elect, nominate, and appoint in the place of the one who died or who was removed while living one of the other better, more worthy, and discreet of the inhabitants of the aforesaid Borough to the office of Chief Burgess of the aforesaid Borough; and that as often as it may thus happen.

We wish and, by these presents, do ordain, and, for us, our heirs, and our successors, do grant that in the aforesaid Borough there may be and shall be two officers who shall be called the Sergeants of the Mace for the execution of processes, mandates, and other

‡ This was John Dudley, the Earl of Warwick, Duke of Northumberland, and lord of the manor of Stratford. He was of course an influential person; in Warwickshire he was in fact the King's chief representative.

orders of the aforesaid Borough to be enacted and executed from time to time, which said sergeants and also constables and all other officers and necessary ministers of the aforesaid Borough from time to time and from year to year shall be elected to their offices by the Aldermen and Chief Burgesses of the aforesaid Borough existing at that time or by the majority of them.

And we wish and, by these presents, do ordain and, for us, our heirs, and our successors, do grant that from time to time it may well be permitted and shall be permitted for the Aldermen and Chief Burgesses of the aforesaid Borough or the majority of them existing at that time to make, establish, ordain, and set up good and beneficial statutes, ordinances, and constitutions, the same to be for the better ruling and governing of the Bailiff, Aldermen, and Chief Burgesses and other officials and inhabitants of the aforesaid Borough existing at the time, as to the manner in which they shall conduct themselves in their offices and their affairs for the public good and common utility of the aforesaid Borough for the better preservation and disposition of the lands, tenements, possessions, and profits given, granted, or assigned or in the future to be given, granted, or assigned to the Bailiff and Burgesses of the aforesaid Borough and to their successors, and for others connected with the aforesaid Borough. We do prescribe, by these presents, and do wish that they observe inviolably the causes and affairs there pertaining to and concerning those certain statutes, ordinances, and constitutions.

And be it known that we have assigned, nominated, ordained, and constituted, and, by these presents, do assign, nominate, ordain, and constitute as chosen by us one Thomas Gilbert of the aforesaid Stratford-upon-Avon to be the first and original Bailiff of the aforesaid Borough of Stratford-upon-Avon, and that he shall be in the office of Bailiff of the same Borough and shall remain there from then until the feast of Saint Michael the Archangel coming, and at that said feast another shall be selected and sworn in that office if the same Thomas Gilbert shall have lived so long. And even so do we assign, nominate, ordain, and constitute, and, by these presents, we do assign, nominate, ordain, and constitute as chosen by us Richard Lord,* Hugo Reynolds, William Smith,

Thomas Phillips, Thomas Wynfield, John Jeffreys, Thomas Dickson, George Whateley, Henry Biddle, William Whateley, Robert Moore [Morse?], Robert Bratt, Thomas Gilbert, and Adrian Quiney, inhabitants of the aforesaid Borough of Stratford-upon-Avon, to be the first and original Aldermen of the aforesaid Borough of Stratford-upon-Avon for as long as they conduct themselves well in that office.

And be it known that we desire and wish that the aforesaid Alms House in the aforesaid Borough of Stratford-upon-Avon shall be maintained and sustained in the future; and that the free Grammar School for the instruction and education of the children and youth there henceforth shall be maintained and sustained just as it was the custom before. And

* From this charter it is clear that Thomas Gilbert was first Bailiff of the new Corporation. He was a Protestant, and also a dyer and victualer in the Borough; his standing in the Borough is attested by his having been so appointed. He died on June 24, 1557.

The fourteen Aldermen among whom Gilbert was one were men of prominence in the community. Most of them had been active before in the affairs of the Guild; a number of them came to prominence in the affairs of the new Corporation. The others are identified as follows: (2) Richard Lord, a Catholic, a butcher, an old Alderman in the Guild; (3) Hugo Reynolds, an old Bridge Warden, an old Master of the Guild; (4) William Smith, a Protestant, an old Bridge Warden, an old Master of the Guild, a mercer and a farmer of some of the College Tithes; (5) Thomas Phillips, an old Master of the Guild, a victualer in Bridge Street; (6) Thomas Wynfield, a butcher in Middle Row and (perhaps) the host of the Bear Inn in Bridge Street, in 1553. Afterward, an old Proctor of the Guild; (7) John Jeffreys, a Catholic, a yeoman, and a fishmonger and victualer in the Shire's House in Sheep Street, once the Bridge Warden, once Proctor of the Guild; (8) Thomas Dickson (alias Waterman), a whitewasher and glover in Bridge Street, a Proctor of the Guild, perhaps the glover from whom John Shakespeare learned his trade; (9) George Whateley, a woollen-draper and a victualer in High Street, a son of an old Master of the Guild, once Bridge Warden, twice, later, elected Bailiff of the Corporation; (10) Henry Biddle, an old Bridge Warden, an old Proctor of the Guild; (11) William Whateley, kinsman to George Whateley, brother-in-law to William Fiddin, who was a vintner at the top of High Street facing Market Cross, in 1553 a Constable with Thomas Samuel; (12) Robert Moore [an error for Morse (?)] (no details have come to light); (13) Robert Bratt, yeoman, a tippler and victualer; (14) Adrian Quiney, a Protestant, father of Richard Quiney, whose son Thomas Quiney, in February 1616, married Judith Shakespeare, William Shakespeare's younger daughter. In 1553, Adrian Quiney was an Ale-taster and Robert Perrott, with whom the Corporation later had difficulty, was the other one. With John Shakespeare and others Adrian Quiney was fined (1552) for letting a refuse heap accumulate in the street before his door. He was the son and grandson of Aldermen and Masters of the Guild, and was Bridge Warden. (See Edgar I. Fripp, *Master Richard Quayre*, 1924, for authoritative details about the Quineys.)

so that the great obligations incumbent on the aforesaid Borough and Burgesses and inhabitants arising there annually from time to time may be the better sustained and supported in the future, therefore by our special grace and from certain knowledge and worthy motive, we have given and have granted and, by these presents, do give and grant to the aforesaid Thomas Gilbert now Bailiff of the aforesaid Borough of Stratford-upon-Avon and the Burgesses of the Borough and their successors, all the messuages, mills, houses, buildings, cottages, lands, tenements, granaries, gardens, shops, storehouses, ground rents, vaults, courtyards, open spaces, estates, easements, revenues, services, and our inheritances with all their appurtenances, now or lately, in separate tenures or possession of Richard Quynye,† Henry Samwell, Richard Smyth, John Narcot, John Nichols, William Palmer, William Gilbert, Nicholas Taylor, John Bell, Thomas Wynefield, Thomas son of Robert Waynwright, Richard Simonds, George Whately, Thomas Whately, Thomas Burford, Robert Bright, John Long [Tonge?] William Smyth, Thomas Walter, John Wotton, John Jeffreys, Thomas Dixon, William Rogers, Thomas Bell, Thomas Commander, Daniel Phillips, Christopher George, Henry Bedell, William Whately, Hugo Reynolds, Richard Simonds, Alec Thompson, William Richardson, George Quynye, John Archer [Anchor?], Henry Bedell, Robert Lewes, John Luscum, Henry Ingram, Robert Sampson, Thomas Diving, John Page, Richard Penryth, William Asshewyke, Thomas Yate, Robert Honnyet, Richard Lord, Richard Machyn, Oliver Jackson, William Fidkin, Nicholas Eilson alias Wilson, George Green, Jacob Anderton, Richard Tentur, William Stephens, William Wynefield, William Byll, John Nevell, Edmund Roberts, William Robins, Oliver Lightfoot, Thomas Wynefield, Randolph Caudry, John Gorst, Richard Colley, Randolph Bate, Thomas White, John Butler, Jacob Hawicke, and Egbert Jones, or their assignees of one or the other of them, situated, lying and being in Church Street, Chapel Street, Sheepstreet, Bancroft, High Street, Ely

Street, Rother Street, Greenhill, Wood Street, Henley Street, Windsor, Burg Street, and Middle Rowe in Stratford-upon-Avon in our aforesaid county of Warwick and everywhere else in the aforesaid Stratford-upon-Avon which were parcel of possessions and revenue of the late Guild of Stratford-upon-Avon in the aforesaid county of Warwick now dissolved. And all those returns and services referring and pertaining to us and the recent parcels of possessions and revenues in the said late Guild existing and issuing from the lands and tenements now or lately of Henry Samwell, John Combes, William Ponder alias Spooner, John Mongley alias Monyley, John Littleton, Alex Parrett, Richard Bromely, Richard Sadler, and Thomas Dickson in the aforesaid Stratford-upon-Avon. And also all our tithes of wheat, grass, grain, and hay, and any other tithes whatsoever, annually and from time to time issuing, increasing, and renewing in Wilmecote in the aforesaid county of Warwick belonging to said late Guild of Stratford-upon-Avon formerly referring and pertaining to it and the parcels of possession recently existing there. And all our messuages and tenements with their appurtenances now or lately in the tenure or occupation of Richard Pace lying and being in Shottory in the aforesaid county of Warwick belonging to the said late Guild formerly referring and pertaining to it and the parcel of possessions recently existing there. And all the enclosure of land late in the occupation of John Elyott lying and being in Dodwell in the aforesaid county of Warwick belonging to the said late Guild formerly referring and pertaining to it and the parcel of possessions lately existing there. And also all that messuage and tenement of ours with appurtenances now or lately in the tenure or occupation of Henry Samwell lying and being in Burgtown in our aforesaid county of Warwick belonging to the said late Guild formerly referring and pertaining to them and the parcels of possession lately existing there. And all the croft of land and pasture of ours with the appurtenances now or lately in the tenure or possession of Richard Sharpe lying and being in the aforesaid Burgtown belonging to the said late Guild of the aforesaid Stratford-upon-Avon formerly referring and pertaining to it and the parcel of possessions lately existing there. And also

† This most interesting list of citizens occupying Borough properties of one sort or another is a veritable town-directory of Stratford-upon-Avon in 1553. More than one of them achieved prominence later in the affairs of the new Corporation.

the entire Chapel called the Guild Chapel in the aforesaid Stratford-upon-Avon belonging to the said late Guild formerly referring and pertaining to it and the entire Bell Tower adjacent to the Chapel and all the lead on the said Chapel and on the Bell Tower, and all the bells being in that said Bell Tower. And all and single messuages, mills, houses, buildings, lands, tenements, meadows, fields, pastures, tithes, granaries, stables, dovecotes, springs, orchards, gardens, waters, water courses, pools, profits, commodities, gains, and our inheritances whatsoever with all their appurtenances, in Stratford-upon-Avon, Wilmecote, Shottery, Burgtown, Dodwell, and Drayton aforesaid and everywhere else belonging to the said late Guild of the aforesaid Stratford-upon-Avon formerly possessed, recognized, approved, used, or reputed as being parts or parcels of possession or rent of the same late Guild before held, recognized, accepted, used or reputed existing; and all of and all kinds of woods, shrubs, and trees whatsoever increasing and existing from, in, and upon the premises and all the same land, ground, and soil of those woods, shrubs, and trees and all the revenues and reversions whatsoever of all and singular the premises and of any parcel there and the return and annual profit whatsoever, reserved upon whatsoever releases and concessions made concerning the premises or of any parcel there; and thus fully, freely, and wholly, and in as full a manner and form as any Master and brethren in the said late Guild of Stratford-upon-Avon or any other or any others heretofore having, possessing, or having seisin, being on the premises or any parcel thereof, had, held, or enjoyed or ought to have had, held, or enjoyed the same or any parcel thereof; and fully, freely, and wholly, and in as full a manner and form as all and singular the premises have come or ought to have come to our hands by reason or pretext of a certain Act [Chantryes Act of 1547, which dissolved the Gilds] concerning divers chantries, colleges, schools, chapels, guilds, and fraternities to be dissolved and limited in our Parliament held at Westminster in the first year of our reign among other things brought forth and provided for, either by reason or pretext of some other Act of Parliament, whether in any other way, manner, law, or title, have come down or ought to have

come down and exist or ought to exist in our hands, certain messuages, mills, tithes, lands, tenements, and all other and singular the premises with the appurtenances, now to be extended to a full year to the value of forty-six pounds, three shillings, two pence, and one penny, to have, hold, and enjoy the aforesaid messuages, lands, tenements, mills, cottages, tithes, and all other and individual premises with all their appurtenances aforesaid for the Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors forever to be held for us, our heirs, and our successors as of our manor of East Greenwich in our county of Kent, by all fidelity in free and common socage and not by each person for all our rents, services, and demands whatsoever. And furthermore from our more abounding grace we give and by these presents do grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon all the issues, returns, rents, and profits of the aforesaid messuages, lands, tenements, mills, tithes, and all other and singular the premises with all their appurtenances from the feast of Saint Michael the Archangel last past, issuing and increasing, shall be held by the same Bailiff and Burgesses by reason of our gift without dispute or any other thing henceforth by us, our heirs, or our successors to be restored, paid, or done in any way.

And we wish, and, by these presents, do ordain that the Alms House in the aforesaid Borough of Stratford-upon-Avon may and shall be continued by the Bailiff and Burgesses of that Borough and their successors in the future with twenty-four pauper persons, either men or women, in the same to be sustained continually and that the Bailiff and the Burgesses of the aforesaid Borough existing at the time shall pay and deliver to each of these pauper persons four pence every seven days and that these paupers shall have their shelter and habitations in the aforesaid Alms House and all the lands, tenements, and other commodities, advantages, and profits in addition to the aforesaid four pence for each of them which they had and were accustomed to have every seven days. And we wish, and, by the presents, do ordain that the Bailiff and Burgesses of the aforesaid Borough and their successors may and shall have from time to time forever the order and governing

of the aforesaid Alms House and of the paupers remaining there.

And we wish, and, by these presents, do ordain that in the future there may be and shall be one Free Grammar School for the training and education of the children and youth in the aforesaid Borough of Stratford-upon-Avon to be continued forever, and that the Bailiff and Burgesses of the same Borough and their successors shall pay annually to the Master of the same school existing at that time twenty pounds of legal English money for his security and salary to be paid in equal portions at the feast of the Nativity of Saint John the Baptist, of Saint Michael the Archangel, of the Birth of our Lord, and the Annunciation of Blessed Virgin Mary, and that the election and nomination of the Master in the aforesaid school existing for the time shall concern and shall pertain to the Duke of Northumberland, his heirs, and his assignees, the Lords of the aforesaid Borough of Stratford-upon-Avon existing at the time.

And we wish, and, by these presents, for us, our heirs, and our successors, do grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors that always they may have and hold and shall have power to have and hold one Market on any Thursday in separate weeks in the aforesaid Borough of Stratford-upon-Avon and two Fairs to be held there annually and held under regulation, to wit: one Fair day to be held there annually on the feast of the Exaltation of the Holy Cross and on the eve and morrow of same day; and the other Fair day to be held annually on the feast of the Invention of the Holy Cross and on the eve and morrow of that feast along with the Pye Powder Court* there during the time of the Fair day, together with the stallage, pickage, fines, amercements, and all other profits, commodities, and gains whatsoever concerning Fairs of this kind and the Pye Powder Court, arising, occurring, emerging, or being contingent with all liberties and accustomed

freedoms pertaining and referring to any Fair days of this kind.

And we wish and, by these presents, do grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and to their successors forever that they shall have and hold and shall have the power to have and to hold one Court of Record in the said Borough of the aforesaid Stratford-upon-Avon in any second week, that is, from fifteen days to fifteen days, in the presence of the Bailiff existing in the Borough at that time, to be held concerning pleas, complaints, and personal actions concerning debts, disputes, trespass, conventions, contracts, detentions, and contempts within the aforesaid Borough of Stratford-upon-Avon and the jurisdiction there arising or about to arise, happening or about to happen, provided that debts, losses, and cases of any kind do not reach to the sum of thirty pounds. And, by these presents, we do grant that any manner of plea, complaint, and action shall be heard there and determined by a same and similar process such as shall be according to our laws and as in any other Court of Record concerning such pleas, complaints, and actions before accustomed and become accustomed to or as ought to be done; and that the Sergeants of the Mace of the aforesaid Borough of Stratford-upon-Avon existing at that time shall make and execute all panels [lists of jurymen], inquisitions, attachments, precepts, mandates, warrants, judicial processes, and whatever other things shall be necessary to be done regarding and concerning the aforesaid causes or other causes within the village and Borough of the aforesaid Stratford-upon-Avon, and they shall execute them just as it has been prescribed to them within the requirements of law and just as it has been customary before in similar cases or as it ought to be done in any other Court of Record. And, by these presents, we do grant that the Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors may have and shall have all fines, amercements, and other profits from and in the aforesaid Court either by reason or pretext of that Court, emerging from, happening in, or contingent to it.

And we wish, by these presents, for us, our heirs, and our successors, and do grant to the aforesaid

* The "*Curia Pedit Pulverisati*," the "court for those who had dust on their shoes," was the local Court of the Market. To it cases of dispute and adjustment could be presented and by it immediate justice could be rendered. It was a highly important institution, and a busy one, on Market and Fair days. It preserved all the local customs of an English rural market and fair.

Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors that forever they may have and shall have the return of all briefs and precepts of us, our heirs, and our successors and the execution of the same shall be within the Borough of the aforesaid Stratford-upon-Avon through the Lord [of the Manor] of us, our heirs, and our successors in the county of Warwick. And we grant that the Lord of us, our heirs, and our successors existing at that time or the Bailiffs or other Ministers in the Borough of the aforesaid Stratford-upon-Avon may not in any way enter or invite themselves there for doing and executing anything that pertains to the office of Lord to be done and performed there. And we wish also and ordain that the aforesaid Bailiff and one of the aforesaid Aldermen, shall be elected annually by the aforesaid Aldermen and Burgesses or a majority of them, and may be and shall be forever the Justices of Peace of the aforesaid Borough for and in behalf of all things that pertain to a Justice of the Peace that must be inquired into, heard, and determined within the precinct, boundaries, limits, bounds, and perambulations of the aforesaid Borough in such manner and form as other Justices of the Peace in other counties of our King of England are empowered and accustomed to do. And we wish and, by these presents, do ordain and grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors that the Bailiff of that Borough existing at the time may be from time to time and shall be Escheator, Coroner, and Almoner of us, our heirs, and our successors and the Clerk of the Market of us, our heirs, and our successors within the aforesaid Borough of Stratford-upon-Avon, and that he shall make and execute all and singular the things which refer and pertain to the office of Escheator, Coroner, Almoner, and Clerk of the Market that must be done and carried out there, and that no other Escheator, Coroner, Almoner, or Clerk of the Market of us, our heirs, or our successors of the Borough of the aforesaid Stratford-upon-Avon may in any way enter or invite themselves there to do what must be done or performed there which pertains to the offices of Escheator, Coroner, Almoner, or Clerk of the Market.

And furthermore from our more ample grace we

grant and give license to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors that they shall have power to acquire and to have for themselves and their successors, lands, tenements, rents, reversions, possessions, and inheritances up to the annual value of two hundred marks [£133 6s. 8d.] from whatsoever person or persons are willing to give, legate, sell, concede, or assign it willingly to them or their successors. And to such person or persons as are willing to give, grant, concede, sell, assign, and legate to the Bailiff and Burgesses and their heirs for the year for the aforesaid value any manner of lands, tenements, annuities, rents, possessions, and inheritances, to be had and held for them and their heirs just as aforesaid forever, we similarly give and grant special license. And without any other statement of damage or without any other royal mandate or other inquisitions there to be taken and to be returned to our Chancery and without any other briefs, letters, or patents to be bestowed, done, or held in that part according to statute in behalf of lands and tenements, they shall not be placed where they cannot be used, any other statute, act, ordinance, or provision to the contrary notwithstanding. Therefore, forever, by proviso and by these presents we wish and do ordain by our letters patent and other concessions, sentences, or clauses contained or specified in them, that they shall not extend themselves to the detriment, dimunition, or derogation of the liberties, privileges, prehensions, commodities, concessions, or inheritances of the said Duke of Northumberland of his heirs or anything concerning or affecting the said Duke or his heirs or any of those formerly Masters of the aforesaid Borough and Manor of the aforesaid Stratford-upon-Avon.

And furthermore by our fuller grace we give and grant and out of certain knowledge and pure motive we do, by these presents, give and grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors all of and all manner of tithes of grains and hay issuing, increasing, or renewing in the villages and fields of Old Stratford, Welcombe, and Bishopton in the aforesaid county of Warwick now or recently in the tenure of John Barker* and the late Guild of Stratford-upon-Avon in our aforesaid county of Warwick

formerly referring and pertaining to it and the parcels of possession existing there and also all of and all manner of tithes of wool, lambs, and other small and individual tithes, oblations, and alterages whatsoever issuing, increasing, or renewing within all the Parish of the aforesaid Stratford-upon-Avon and of the said late Guild of Stratford-upon-Avon formerly referring and pertaining to the said College now and late being in the tenure of William Barker,* gentleman, or his assignees; and any reversion or reversions whatsoever of the aforesaid tithes or any parcel thereof and the rents, revenues, and other annual profits whatsoever reserved, by the demissions or concessions made concerning the aforesaid tithes or any parcel thereof reserved there, which tithes, oblations, and alterages are now extended to a full year to the value of thirty-four pounds to have, hold, and enjoy the aforesaid tithes, oblations, alterages with all their appurtenances by the Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon and their successors forever: to be held for us, our heirs, and our successors as in regard to our manor of East Greenwich in the county of Kent in free and common socage and not in each person for all our returns, services, and demands whatsoever accordingly for us, our heirs, or our successors to be returned, sold, or rendered. And we wish also and from our certain knowledge and pure motive and from our authority, regal, supreme, and ecclesiastical by which we perform, for us, our heirs, and our successors, by these presents, do grant to the aforesaid Bailiff and Burgesses that the said Bailiff and Burgesses and their successors may have, hold, enjoy, and turn to their own uses and shall have the power to have, hold, enjoy, and turn to their own uses the aforesaid tithes, oblations, and alterages or any parcel thereof and

fully and wholly in such manner and form as the Master of the said late Guild of Stratford-upon-Avon or one or another of their predecessors by law of that late Guild had, held, or enjoyed and used for their own purposes or ought to have, hold, or enjoy and use for their own purposes the aforesaid tithes, oblations, and alterages or any parcel thereof by reason or manner whatsoever of any statute, act, ordinance, provision, prohibition, constitution, or custom formerly held, made, edited, ordained, or provided, any other thing, cause, or matter whatsoever to the contrary notwithstanding. And we also give in behalf of the aforesaid consideration and from certain knowledge and pure motive, by these presents, do grant to the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon all and singular the issues, returns, and profits of the aforesaid tithes and premises, from the last feast of the Annunciation of the Blessed Virgin Mary, issuing or increasing, to be held by the same Bailiff and Burgesses by reason of our gift without dispute or any other such thing henceforth by us, our heirs, or our successors in any way restored, paid, or done.

In consideration of all of these we do wish and ordain that the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon do grant for them and their successors, by these presents, that they and their successors annually and forever shall pay or cause to be paid to the Vicar of the Parish Church of the aforesaid Stratford-upon-Avon to be incorporated, by these presents, for us, and to be nominated by the aforesaid Duke of Northumberland, his heirs, and his assignees, the Masters of the said Borough of Stratford-upon-Avon, and to his successor the Vicar of the Church twenty pounds per year at the feast of Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary to be paid in equal portions in the name of a certain annual pension by donation to be assigned to the Vicar, and also forty shillings per year besides the aforesaid twenty pounds to be paid from the tithes, pensions, or endowment of the aforesaid Vicar annually in behalf of the Vicar and his successors by us, our heirs, and our successors to be paid at the Court of First Fruits and Tithes [*Curiam Primitiarum et Deciarum*] at the festival of the Birth of our Lord. And

* Anthony Barker, Warden of the College, leased the Tithes of Old Stratford, Welcombe, Bishopston, and Stratford Borough, as well as the Privy Tithes of the whole parish, to his cousin, William Barker of Sonning, on September 7, 1544 for ninety-two years. The Privy Tithes had been disposed of to John Barker before the date of the Charter. John was Anthony's executor and possibly his brother; and William was probably the Fellow of the Middle Temple, another executor. See Anthony's Will, August 4 and November 15, 1551, proved June 1553 (Probate Court of Canterbury, 14 Tashe), and the discussions of Shakespeare's purchase in 1605 of the Stratford Tithes later in this work (chapter lxxi, Volume 11).

also that the same Bailiffs and Burgesses and their successors of the aforesaid Borough of the aforesaid Stratford-upon-Avon shall pay or cause to be paid annually and forever to the Master of our School in the aforesaid Stratford-upon-Avon by these presents to be set up and incorporated for us and to be nominated by the aforesaid Duke, his heirs and assigned Masters of the aforesaid Borough of Stratford-upon-Avon, from time to time and to his successors, twenty pounds for that Master of the said School, to be paid in equal portions at the said feast of Saint Michael the Archangel and the Annunciation of the Blessed Virgin Mary. And that the same Bailiff and Burgesses immediately after the sealing of these our letters patent shall make or shall cause to be made sufficient separate donations and concessions to the aforesaid Vicar and Master and to either of them and their successors concerning convenient homes, habitations, or dwellings within the aforesaid village of Stratford-upon-Avon for separate habitations and dwellings of that Vicar and Master and their successors forever by a letter of the said Bailiff and Burgesses made and sealed under their Common Seal. And that the Bailiff and Burgesses of the Borough of the aforesaid Stratford-upon-Avon and their successors, or the Bailiff and Burgesses of the same Borough having assumed it for themselves, annually and from time to time forever shall obtain, give, and furnish for the Presbyterian Chapel in the aforesaid Parish of Stratford-upon-Avon, to be a service and assistance to the said Vicar forever, ten pounds of legal English money for his pay and salary to be paid in equal portions at the aforesaid feast of Saint Michael the Archangel and of the Annunciation of the Blessed Virgin Mary. Furthermore we wish and by our regal, supreme, and ecclesiastical authority do, by these presents, grant that in the Parish Church of the aforesaid Stratford-upon-Avon there may be and shall be a Vicar forever nominated by the aforesaid Duke of Northumberland, his heirs, and assignees then being the Masters of the same village, and presented to the Ordination and Diocese. The Vicar thus nominated and presented shall be nominated and shall be the Vicar forever in the aforesaid Church of the aforesaid Stratford-upon-Avon and he and his successors shall have perpetual succession

and he and his successors shall be in the place of the Rector, and he shall live there and shall promote hospitality and shall regulate the parochial life there, and he shall do and execute all other such things which are known to pertain to the office of Rector or Vicar. And we wish also and by our authority aforesaid do, by these presents, grant that the same Vicar and his successors, whether by name of Vicar of the Parish Church or Priest of the aforesaid Stratford-upon-Avon, may be and shall be persons capable of holding in person and having in law for the receiving and attaining for themselves and their successors as Vicars of the same Church, from the aforesaid Bailiff and Burgesses of the said Borough of Stratford-upon-Avon, certain annual pensions or annuities of twenty pounds per year for the Vicarage itself therein endowed and forty shillings per year for the tithe of the aforesaid Vicarage, annually to be paid by us, our heirs, and our successors as it has been said before, with a clause of distriction for security to be made for their payments, annuals, returns, and other such things to be made through a certain name and to continue under that name, claim, and to plead and to defend a plea and to respond to a defense and to be defended in whatsoever Courts and places of our kingdom and dominion, jurisdiction, and power of us, our heirs, and our successors whatsoever in and upon all and singular causes, actions, principles, debts, demands, and complaints, real, personal, and mixed, as much temporal as spiritual, and in all other affairs, cases, and matters whatsoever, the said annuals, returns, pensions, or annuities of twenty pounds and forty shillings or any parcel regarding or pertaining to it.

And we wish also and, from certain knowledge and pure motive and by our regal, supreme, ecclesiastical authority by which we act for us, our heirs, and our successors, do, by these presents, grant to the aforesaid Vicar or Priest of the Parish Church in the village of the aforesaid Stratford-upon-Avon existing at the time and to his successors as Vicar of that Church existing at that time that the said Vicar and his successors may have, hold, use, and enjoy and shall have the power to have, hold, use, and enjoy in and through the whole Parish of Stratford-upon-Avon as many such and similar, peculiar juris-

dictions, exemptions, probations, corrections, punishments, and certain other laws, ecclesiastical and spiritual, whatsoever as Master of the said late Guild of Stratford-upon-Avon existing at that time or any one or any ones of their predecessors or any other one or ones has or had, held, used, and enjoyed or ought to have the power to have, hold, use, and enjoy in the aforesaid Parish of Stratford-upon-Avon and in other premises or in any parcel thereof by any reason or manner whatsoever.

And furthermore be it known that we, moved by extraordinary love and affection to the end that we bring up the youths of our kingdom in the aforesaid county of Warwick so that the coming generations shall derive from a childhood more cultured and imbued of letters than was accustomed in our times, and that, when they will have come to a more advanced life, they shall go forth more learned, undoubtedly appreciating the English Church of Christ (whose changes in the land we now are carrying out), taught no less in literary affairs than in precedence for the benefit of all our kingdom, we do in reality and to the full create, erect, found, ordain, make, and establish a certain Free Grammar School with one Master to endure forever in the aforesaid village of Stratford-upon-Avon. And thus we wish and, by these presents, do command it to be established and observed inviolably forever; and that the aforesaid School by us thus founded, created, and established shall be named, called, and designated forever as the King's New School of Stratford-upon-Avon and that in the same School there shall be a Master to be nominated and appointed from time to time by the aforesaid Duke of Northumberland, his heirs, and his assignees, the Masters of the Borough of the aforesaid Stratford-upon-Avon existing at the time; and the one thus nominated or appointed shall be called, named, and designated by the name of Master of the Free School of Stratford-upon-Avon; and we wish and, by these presents, do command that he shall forever be called, named, and designated by that name. And we wish also that the same Master or the successors of that Master in the said Free School of the aforesaid Stratford-upon-Avon may have and shall have perpetual succession and shall be capable of holding in person as much for receiving

and acquiring for themselves and their successors as Masters of the Free School from the aforesaid Burgesses of the Village of the aforesaid Stratford-upon-Avon a certain annual revenue, pension, or annuity of twenty pounds per year with a clause of distriction for the security of those said payments, as also certain other lands, tenements, possessions, and inheritances from any persons or any person, besides the stated annuity, revenue, or pension of twenty pounds, provided that they shall not exceed the yearly value of twenty pounds a year.

And we wish also and for us, our heirs, and successors do, by these presents, grant to the aforesaid Bailiff and Burgesses of the said Stratford-upon-Avon that the same Burgesses shall have power to give and grant to the aforesaid Vicar in perpetuity of the said Parish Church in the village of the aforesaid Stratford and to his successors the Vicars in perpetuity of the same Church the aforesaid annual revenues, pensions, or annuities of twenty pounds per year and forty shillings per year for a convenient house and home there for the aforesaid Vicar and his successors the Vicars to live in, as also [they shall have the power to give and grant] to the aforesaid Master of the said School of ours of Stratford-upon-Avon and to his successors, the Masters of the same School, the aforesaid annual revenue, pension, or annuity of twenty pounds per year and a convenient house and home there for the aforesaid Master and his successors the Masters to live in, with a clause of distriction in all and singular preconceded premises by separate letters made and sealed under the said Common Seal or otherwise in whatsoever manner; and we have given license to the said Vicar and his successors and to the said Master and his successors that they separately shall have the power and ability to take and receive for themselves from the aforesaid Burgesses the stated separate annual revenues, pensions, or annuities in the aforesaid manner and form. And we do grant for us and our successors, by the Statutes concerning the lands and tenements, that they be not mortgaged by any other statute or ordinance made to the contrary notwithstanding; and that the aforesaid Vicar and his successors and the Master aforementioned and his successors shall have, hold, and enjoy the aforesaid separate annual returns, pensions, or an-

nunities in accord with the form and intention of those our letters patent. And be it known that the aforesaid Bailiff and Burgesses of the aforesaid Borough of Stratford-upon-Avon, for and in consideration of the premises, grant for themselves and their successors to the Bailiff and Burgesses of that village that they, immediately without any delay after the completing and sealing of these our letters patent, shall make or shall cause to be made as sufficient donation and concession to be executed and sealed by their letters patent, under their said Common Seal, to the aforesaid Vicar in perpetuity, nominated by the aforesaid Duke of Northumberland and his heirs, the Masters of the aforesaid village for the time being as aforesaid, of the said Church of Stratford-upon-Avon aforementioned and to his successors the Vicars in perpetuity of the same Church, concerning the aforesaid annual reversion, pension, or annuity of twenty pounds to be paid to him in the aforesaid form arising from the grants granted before with a clause of distriction in the same as well as sufficient donation and concession likewise to be executed and sealed by their letters patent under their Common Seal to the aforesaid Master of our said School of Stratford-upon-Avon and to his successors, the Masters of that same School, from the aforesaid annual revenues of twenty pounds arising from the preconceded grants with a clause of distriction, to be paid to him, in the aforesaid form by the statute, from the lands and tenelements not to be mortgaged by any other statute, custom, prohibition, cause, or matter whatsoever to the contrary notwithstanding, save only that to the aforesaid Duke of Northumberland and his heirs and to the Masters of the aforesaid Borough of Stratford-upon-Avon for the time being, have been reserved entirely the presentation, nomination, donation, and concession of the aforesaid Vicar in perpetuity of the aforesaid Church of Stratford-upon-Avon aforementioned and of the successors of the said Vicar of the said Church; and as well the nomination and donation of the aforesaid Master of our said School of the said village of Stratford-upon-Avon aforementioned and of his successors of that School, and save only that to us, our heirs, and our successors, in like manner there, have been reserved the first fruits of the same vicarage to be paid annually the succes-

sors of the aforesaid Vicar after this charge when it shall fall due.

We wish also and by these presents do grant to the aforesaid Bailiff and Burgesses of the said Borough of Stratford-upon-Avon that they may have and shall have these our letters patent signed and sealed under our Great Seal of England in the customary manner without fine or fief, great or small, to be returned, paid, or made over to us in Hanaper* or elsewhere for our use with this in mind that the express mention of true annual value or of the certainty of premises or of any one of them or of other gifts or concessions made by us or by other of our progenitors to the aforesaid Bailiff and Burgesses of the said Borough of the aforesaid Stratford-upon-Avon before these times, least productive at present, exists, either by some statute, act, ordination, provision, or restriction therein made, published, ordained, or provided not to the contrary or because of some other thing, cause, or matter in any way not contrariwise.

In testimony whereof we have caused to be made these our letters patent with myself as a witness at Westminster on the twenty-eighth day of June in the seventh year of our reign.

By brief from the Privy Seal and, concerning the aforesaid data, by authority of Parliament. Wilsent [Officer of the Patent]

L. S. Examined by H. Chawselde, *Irrotulatum*, in the office of John Hanbie, *Auditoris*

[Endorsement on the document]:

| | | |
|---|---|---|
| This letter pleaded and drawn up in the presence of Her Majesty the Queen at Westminster in Easter Term now in the second year of the reign of Elizabeth. | } | <i>Rotulo primo inter Placita Regine.</i> |
|---|---|---|

* "Hanaper" was an office belonging to the common law jurisdiction of the Court of Chancery. It was so called because all legal documents relating to the business of a subject, and the returns to those documents, were once kept in a hamper (a large covered basket), in *hanaperio*. The jurisdiction of the Hanaper-office was that of taking care of all patents, grants, etc., which passed the Great Seal. In 1652, its functions were transferred to the Clerk of the Crown. In 1879, by the Judicature Act, it was amalgamated with the central office of the present English Supreme Court.

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VI

THE BUSINESS AND MUNICIPAL CAREER OF JOHN SHAKESPEARE

JOHNSHAKESPEARE¹ was not a native of Stratford. His father Richard (who in religious matters apparently was a follower of the Puritan John Hales, lord of the Snitterfield manor) and his brother Henry spent virtually their entire lives as tenant farmers at Snitterfield, a few miles northeast of Stratford. Just when John migrated from Snitterfield to Stratford is not known. Obviously the migration took place some years before his father's death in 1560, for in 1560 he was the executor of his father's estate, had already established himself in the glover's trade in Stratford, had started effectively his upward climb (already he had been ale-taster, constable, affeeror, and Burgess) in the affairs of the Corporation; he had purchased two properties in the

town (one in Henley Street and the other in Greenhill Street); and also he had married Mary Arden, daughter and something of an heiress of Robert Arden of Wilmcote, gentleman, from whom his father had rented two farms. A daughter Joan had been born to him September 15, 1558. As a glover by trade, John Shakespeare served his apprenticeship—usually the seven years from fourteen to twenty-one—so that his twenty-first year may have been about 1556 or 1557 when he married² Mary Arden. This is, of course, on the

assumption that he completed his apprenticeship in the approved manner and that he did not marry before the expiration of his period as an apprentice articulated to a glover. Such an assumption would place John Shakespeare's birth³ at 1535 or 1536, in which event at his death in 1601 he was a man sixty-six or sixty-seven years old. If he served his full apprenticeship, he must have migrated to Stratford between 1545 and 1550. J. Hunter (*New Illustrations of Shakespeare, I, 18*) suggests 1551.

Virtually nothing is known about the early life of the dramatist's father. His name is not in the list of persons assessed in Stratford-upon-Avon for the payment of relief granted in 3 Edward VI (1550). The Register of the Gild of the Holy Cross in Stratford-

¹ The marriage must have taken place at some time between November 1556 and September 1558, the dates, respectively, of Robert Arden's will and the birth of their first child, Joan, who was christened (Parish Register) on September 15. The registers for Aston Cantlow and for Stratford do not begin early enough to include the possible date of their marriage—either one of those two places being the one where normally the marriage would have been solemnized. Since Mary was the youngest of Robert Arden's eight daughters, she may have been considerably younger than her husband. There is virtually no documentary evidence relating to Mary Arden's early life.

² One of the highly desirable things in Shakespearean study is an authentic and exhaustive life of John Shakespeare after the manner, say, of Edgar I. Fripp's *Master Richard Quyny* (1924).

³ Richard Savage and Edgar I. Fripp place his birth about 1528 (*Minutes and Accounts of the Corporation of Stratford-upon-Avon and Other Records, 1553-1620* [4 vols., 1921-30], I, xxxii; hereafter cited as *Minutes and Accounts*).

upon-Avon, which contains the names of all the masters, aldermen, procurators, brothers, and sisters from the time of Henry IV to its dissolution in the time of Edward VI, does not contain the name of any Shakespeare for the period of Henry VII or Henry VIII. Other well-known Stratford names do appear in the Register: Underhill, Combe, Quiney, Clopton, Sadler, Lewes, Smith, Jeffreys, Trussel, Reynolds, Rogers, Whateley, Phillips, Gilbert, Parsons, Roberts, and others. Moreover, the 1553 Charter to Stratford lists some seventy-one names of Stratford citizenry, but no Shakespeare.

From 1552 to 1601, however, the documentary records concerning John Shakespeare are numerous—especially so during the period of his activity in affairs of the Corporation. Halliwell-Phillipps collated much of this documentary evidence from the Court Leet, the Court of Record, and the minutes of the Stratford Corporation, and tabulated it in his *Outlines of the Life of Shakespeare* (II, 215–48). This has been supplemented, and largely supplanted, by Savage and Fripp's *Minutes and Accounts* . . . (1921–1930). Only a few more facts have been added recently, but they may be interpreted anew in the light of other recent documentary evidence. Prior to 1553, when officially Stratford-upon-Avon was granted a Charter⁴ for its Corporation by Edward VI, the local Court Leet was the chief court; but the 1553 Charter granted the Corporation a Court of Record to which bar of justice many cases were thereafter transferred.

A. The very first documentary evidence concerning John Shakespeare is a "view of frank pledge" by the local Court Leet in 1552. This document, dated April 29, 6 Edward VI, 1552, and issued by the local Court Leet⁵ of Stratford borough, fined John Shakespeare

the conventional "xij^d" (about \$2.00 in modern values) for violating an order of the Court Leet relative to cleanliness and sanitation in the town. J. Hunter (*op. cit.*, I, 18) discovered this document in the Carlton Ride Record Office and first printed it, but not in complete form. This manuscript (here Document 5), now in the Public Record Office, is catalogued as "Court Rolls Portfolio 207, No. 82."

This Court Leet entry shows definitely that John Shakespeare, in April

item reads: "fraunces Harbadge master bely that now ys Adreane Quyny Mr Hall Mr Clopton for the guttar alonge the chappell in Chappell Lane John Shakspeyr for not kepynge of ther gutters cleane they stand amerced." Again John Shakespeare had company in being fined. He was fined far less frequently than others of his immediate associates in the town.

It is interesting to know that the Corporation regularly designated places for public muck-dumping—Stratford had

[DOCUMENT 5]

[JOHN SHAKESPEARE FINED BY THE COURT LEET, 1552]

Stratford Visus franci plegii cum cur. illustrissimi principis Domini
Burgus Edwardi Sexti Dei gratia Angliae ffranciae & Hiberniae
 regis Fidei defensoris & in terra ecclesiae Anglicanae &
Hibernicae supremi capitis ibidem tent. xxix^o. die Aprilis anno regni
sui sexto

Item [iuratores] present[ant] super sacramentum suum quod Humfrudus Reynoldes (xij.d.) Adrianus Quyne (xij.d.) & Johannes Shakspeare (xij.d.) fecerunt sterquinarium in vico vocato Hendley Strete contra ordinationem curiae Ideo ipsi in misericordia ut patet

1552, was dwelling in Henley Street, in the identical house (presumably) to which in 1556 or 1557 he brought his new wife Mary Arden, in which at the time he was conducting his trade as a glover, and in which his children, including the future English dramatist William Shakespeare, were born. John was residing here, in 1552, as a bachelor. Entries of the sort were very common in that day. With John in this set of fines are Humphrey Reynolds and Adrian Quiney, each of whom was prominent and each of whom achieved distinction in Corporation affairs. There was not a man of any consequence in Stratford of that period who was not fined for some infringement of a local ordinance. Some were fined frequently, including the vicar, the High Bailiff, and the innkeeper.

On February 23, 1558, John Shakespeare was again fined "iiij^d" (about sixty-five cents in modern values) for not keeping his gutter clean (scoured). The

four or five such public muckhills. Such an authorized refuse heap was west of the country end of Henley Street and in front of the home of William Chambers, the wheelwright. A view of frank pledge, April 26, 1555, of the Court Leet, reads: "& y^t William chambures do before sent Jamys day [July 25] pyche a paell by twene the comyn mukhyll & pattryx hous ij footes from y^e hous peyne vj^s viij^d." While it is not to be denied that Stratford-upon-Avon, from a modern point of view, was rather unsanitary, it is obvious too that the regulations very definitely aimed at good sanitation. The very frequent fining of residents for what seem to be petty violations shows that the officials were concerned and were actually quite alert.

B. The second bit of documentary evidence concerning John Shakespeare is that he was sued for debt. He was identified as a "glouer." A Court of Record entry for June 17, 1556, shows that before John Burbage, High Bailiff

⁴ The order for the grant of this 1553 Charter is given in Malone's *Variorum* (1821, II, 547–49); the complete Latin text is given in Savage and Fripp's *Minutes and Accounts* (I, 1–22), and in chapter v above (Latin text and translation).

⁵ An excellent account of this meeting of the Court Leet is in Savage and Fripp's *Minutes and Accounts* (Introduction, I, xx ff.).

Court of Record entry identifying John Shakespeare as a glover, June 17, 1556. In the Birthplace Museum, Stratford-upon-Avon

and hence judge of the Court, John Shakespeare was sued by Thomas Sicke of Arscote to recover a debt of £8—a rather large sum, about \$320 in modern values. The case, according to all the entries (excerpts are given in Halliwell-Phillipps' *Outlines*, II, 215), lasted during four sittings of the Court. John pleaded that he had justly used physical force on Thomas Sicke. By default, on August 11, 1556, the case resulted in favor of the plaintiff. A facsimile, from a tracing properly accredited to Fairholt, of this entry is in Halliwell-

Shakespeare as a glover and whittawer must have belonged was officially known as the "Mystery, Craft, or Occupation of the Glovers, Whittawers, and Collarmakers." John Townsend, neighbor in Snitterfield of Richard Shakespeare, John's father, had a daughter Joan, who was the wife of Thomas Dickson, alias Waterman, glover and whittawer in Bridge Street, Stratford. Through this friendship, young John may have been apprenticed to Waterman. Richard Shakespeare had other friends in Stratford; one of these, Thomas Atwood,

members of the gild, as in the instance of a modern labor union, were carefully guarded, although prices and working hours, as in modern labor unions, were not regulated. It was quite impossible that a glover, by virtue of belonging to that special gild, should also be a butcher. The butchers' gild was still another "Mystery." Commonly a youth did not serve apprenticeship in two different trades, though sometimes printing and book-selling were combined. Many of the regulations, usually self-imposed by a gild, concerning gloves seem petty and foolish. Not so then. Skins of sheep and lambs, for instance, were not permitted to be purchased before removal from the animal; nor were kid skins, calf skins, or any skins used by a glover to be bought before they had been exposed to view in the Market Place. Nor were they to be laid out for sale before ten of the clock in the forenoon. Tanners, on the other hand, could not buy horse hides and skins of dogs or of swine. Butchers were required to bring the skins of sheep and lambs along with the flesh of the animals to market. The standing-place on market days assigned by the Corporation Council for the glovers was at the old Market Cross. Thursday was the day for their wares.

In some of the signatures written for John Shakespeare in the Corporation entries, John Shakespeare made his mark⁶ in terms of the chief instrument of his trade, a compass and dividers.

"Yeoman" and "glover" were the identifications of John Shakespeare in actual contemporary documents. Aubrey's (1681) "his father's trade . . . Butcher" and Rowe's (1709) "a considerable Dealer in Wool" are later-developed figments of the imagination intended to alter the designation of his chief trade, that of glover. It is very likely that he did not traffic in meat and

[DOCUMENT 6]

[COURT OF RECORD ENTRY IDENTIFYING JOHN SHAKESPEARE
AS A GLOVER, 1556]

Stretford ss Cur. Phi. et Mariæ Dei grā. regis et reginæ Angliæ Hispaniarum &c secundo et tercio ibm̄ tent. die Marcurii videlicet xiiij. die Junij ann. predit. coram Johani Burbage ballivo &c

Thomas Sicke de Arscotte in Com. Wigorn. querit^r versus John Shakyspere de Stretford in Com. Warwic glouer in plac. quod reddat ei oct. libras &c

Phillipps' *Life of William Shakespeare* (p. 21). Charles Knight's tracing of the item was made not by Mr. Fairholt but by someone far less experienced than he. Knight, speaking critically, declared that the word "glouer" as spelled in the original entry was "anything but glouer"; but obviously he misinterpreted the final flourish similar to a rather large Old English script small *d*, which in Elizabethan handwriting was the oft-recurring character used in manuscripts by the hundreds, for a final *er*. Hence, "glouer" is exactly what the word was and is. Even Knight's defective facsimile could not hide this fact. John Shakespeare was, in this legal entry, definitely identified as a glover.

The facsimile here reproduced is from the original Court of Record entry now at the Birthplace Museum. The entry, unpunctuated and in the conventional abbreviated legal Latin of the time, but with the abbreviations indicated by periods, is given here in Document 6.

The trade gild to which John Shake-

alias Taylor, of Stratford, in his will, October 21, 1543, left Richard four oxen, which were then in Richard's keeping. Articles of apprenticeship, binding both the apprentice and the master for seven years, were legal papers executed in the presence of the Bailiff and the Steward of the Borough. Having served his seven years' apprenticeship, John would legally secure his "freedom" from that apprenticeship, paying therefor "vj^j viij^d," and would set himself up in his trade. The brotherhood met in the Gild Hall, which was across the street from New Place, William Shakespeare's later permanent home. Four times a year John paid his "quarteridge" of "ij^d" (about 35 cents). Attendance, like virtually everything else in that day, was compulsory. Absence involved a fine of "xij^d" (about \$2.00), and refusal to attend carried a fine of "vj^j viij^d" (about \$14.00). The chief officers, Master and Warden, were elected annually. Half of the fees went to the Borough Council, which authorized the rules and proceedings of the brotherhood. The activities of the

⁶ John Shakespeare sometimes used a plain large cross (see No. 27 in Frederick C. Wellstood's *Catalogue of the Books, Manuscripts, Works of Art, Antiquities and Relics Exhibited in Shakespeare's Birthplace*, for a facsimile) and sometimes a glover's compass (see Savage and Fripp's *Minutes and Accounts*, I, 134, for a facsimile) for his mark. Except for a "S" opposite John Shakespeare's name attesting his inventory of Ralph Shaw's goods in 1592, no scrap of his handwriting has been found.

also in wool.⁷ His trade, however, was that of glover. Many Stratford tradesmen were yeomen. "Yeoman," like gentleman, was a social rank; whereas "glover" was a trade which one learned by the conventional seven years' apprenticeship. In a 1572 Court of Common Pleas (C.P. 40/1304/910d. Trinity Term, 14 Elizabeth, 1572) summons to "John Luther, late of London, glover alias John Luther of Banbury," to answer a suit of debt for £50 which he allegedly owed to John Shakespeare, John Shakespeare was identified as "John Shaxbere of Stretford on Avon in co. Warwick, yeoman."⁸ On September 20, 1575, when John's neighbor William Wedgewood sold (original MS Conveyance in the Birthplace Museum) a tenement to Edward Willis for £44,

⁷ J. Leslie Hotson's article in *The Times* (London), November 22, 1930 (p. 13) very definitely proves that John Shakespeare did deal in wool; but that does not say that wool-dealing was his "trade." Halliwell-Phillips (*Outlines*, II, note 191) definitely shows from contemporary manuscripts that glovers dealt in other commodities: "There were other glovers at Stratford-on-Avon in Elizabeth's time, who did not restrict themselves to their nominal business. One of them dealt in wool, yarn, and malt, the last-named article seeming to be their usual additional trading material. 'George Perrye, besides is glovers trade, usethe buyinge and sellinge of woll and yorne, and makinge of mallte,' MS. dated 1595. 'Roberte Butler, besides his glovers occupation, usethe makinge of mallte,' MS. *ibid.* 'Rychard Castell, Rother Market, usethe his glovers occupation; his weiffe utterethe weekelye by bruyngge ij. strikes of mallte,' MS. *ibid.* In one of the copies of an inventory taken at Stratford after the death of Joyce Hobday, 1602, are the following entries,—'George Shadeton oweth me for woll. xxiiij.s.—Mr. Gutteridge oweth me for calves lether, iij.s. viij.d.—John Edwards of Allveston, alias Allston, oweth me for two pere of gloves, viij.d.' Even in this century there were firms in the north who were glovers and dealers in wool, as well as dyers of leather and dressers of skins. In former days glovers were almost invariably fellmongers, the material furnished by the latter being well adapted for the production of coarse leather gloves, the only ones that, in John Shakespeare's time, were in general provincial use. 'To Townsen, the glover, for two sheepe skines, vj.s. viij.d,' records of Rye, co. Sussex, 1604. 'Butler of Puddle Wharfe, a glover, felmonger, or sheepe-skin-dresser,' Brian, 1637. There is, in the church yard of Stratford-on-Avon, a tombstone of the latter part of the seventeenth century (1688-89) to the memory of a 'fellmonger and glover.'" (Note 192) . . . "Two other examples of the combination of trades at Stratford-on-Avon are worth adding. 'Mr. Persons hathe, besides his trade of draperie and lyvinge yeerely commynge in, of longe tyme used makinge of mallte and bruyngge to sell in his howse, and ys a common buyer and seller of corne,' MS dated 1595. 'Peeter Davyes, besides his woolwynders occupation, usethe the makinge of mallte and victuallinge,' MS. *ibid.*"

⁸ J. Leslie Hotson, *Shakespeare versus Shallow* (1931), p. 38.

it was described as lying "betweyne the tenement of Richard Hornebe of the east part and the tenement of John Shakespeare yeoman of the west part." On October 15, 21 Elizabeth, 1579, in a Deed (MS originals of both Deed and Bond in the Birthplace Museum) by virtue of which John and Mary Shakespeare sold their interests in the Snitterfield property to Robert Webbe for £4, John was described as "John Shackspere of Stratford-uppon-Avon in the countye of Warwicke, yoman." The Bond accompanying this transaction likewise listed John Shackspere as "yoman." In Trinity Term, 1580, in the Court of Westminster (Coram Rege Rolls, Anglia 20^b, 21^a, Trinity Term, 22 Elizabeth, MS in Public Record Office) John Shakespeare was fined £20 for not appearing in that Court, in which record he was described as "De Iohanne Shakespeare de Stratforde super Avon in Comitatu Warwicensi, yoman." On January 26, 39 Elizabeth, 1597, in a Deed (MS original in the Birthplace Museum) by virtue of which John Shakespeare sold for 50s. a toft of ground to George Badger, John Shakespeare, who made his mark, is identified as "Johannes Shakespere de Stratford super Avon in comitatu Warrewicensi, yoman."

R. H. Tawney (*Agrarian Problem in the Sixteenth Century*, p. 20) very properly describes the important rating of the yeoman during this period: "In most ages there is some body of men to whom their countrymen look with pride as representing in a special degree the strength and virtues of the nation. In the sixteenth century that class consisted of the substantial yeomen. Men speak of them with the same swaggering affection as is given by later generations to the sea-dogs. The genius of England is a rural divinity and does not yet rule the waves; but the English yeomen have 'in time past made all France afraid.'" Henry V's address (in Shakespeare's *Henry V*) to his troops before Agincourt—they were "yeomen!"—is in point. John Shakespeare must have felt pride in his advance from the tenant-farmer status of his father to his own yeomanship.

The evidence for "glover" is equally convincing. On July 19, 1587, at Coventry (Controlment Roll No. 44, King's Bench, Crown Side, Michaelmas Term, 29 Elizabeth, 1587), John Shakespeare went bail for one Michael Price of Stratford-upon-Avon. The entry reads: "ven-er[unt] Michaell Pryce de Stretford sup[er] Avon[am] in Com[itatu] Warr[ic]wicensi tinker Joh[ann]es Shakspere de e[i]sdem villa & Com[itatu] glover." The amount of bail was "decem lib[e]r" (about \$400), a not inconsiderable sum in 1587.

From 1588 to 1592, William Burbage of Stratford conducted a Common Pleas suit to recover £7 which John Shakespeare had agreed to pay him as a result of a dispute over a home John had let to him. In the Court order of 1592, John Shakespeare was described as "glover" and also as "senior." The Plume MS 25, folio 161 (in the Library at Malden, Essex), ca. 1657, while not contemporary, declares that "He [William] was a glovers son Sir John Mennis saw once his old Father in his shop a merry cheekd old man that said Will was a good Honest Fellow, but he durst have crackt a jeast with him at any time." Of course, Sir John Mennis was born on March 1, 1599, and John Shakespeare died in 1601; therefore Mennis could scarcely have known and remembered him as described in the Plume MS 25. It is well known that, in making his "mark" in some of the minutes of the Council of Stratford-upon-Avon, John Shakespeare employed a glover's compass and dividers. That John Shakespeare was, by apprenticeship, a glover is thus amply shown. That he trafficked in some other commodities also may be taken for granted.

C. In Savage and Fripp's *Minutes and Accounts* is a virtually complete record of John Shakespeare's activities in the Corporation. In rather rapid succession, he became alestaster (1556), burgess (1557), constable (1558), affeior (1559, 1561), chamberlain (1561, 1562), alderman (1565, taking the place of the expelled William Bott, then owner of New Place), high bailiff (1568-69), and chief alderman (1571), and was of subsequent

service to the Corporation. Thus, rather early in life (he lived thirty years after 1571, dying in 1601), he attained the highest office in the gift of the town and community. These several items warrant individual consideration:

1. In September 1556 John Shakespeare was elected ale-taster (or "ale conner") by the Court Leet, the position from which it was common to pass to

our Lord the King and the Lord of this Court in the office of Ale-taster and Assizer for the year to come: you shall truly and duly see that all bread be weighed and do contain such weight according to the price of wheat as by the Statute in that case is provided: you are to take care that all breuers do brew good and wholesome ale and beer, and that the same shall not be sold until it is essayed

[DOCUMENT 7]

[JOHN SHAKESPEARE FINED FOR NONATTENDANCE
AS ALETASTER, 1557]

Stratford } Curia de recordo ibm̄ tent. secundo die Junij annis regno-
Burgus } rum Phillippi et Mariæ &c tercio et quarto viij^d de Jōhe
Shakysper uno testat. [testator] serviciæ burgi p̄d [quod] quia non
venit ad exequend. officium summ p [pro] iij Cur. Id. [ideo] in mia
[miscricordia]

more advanced responsibility in the Corporation. It was the first step to municipal promotion. "Able persons and discreet" were the ones chosen for the position, which had to do with the supervision and sale of foodstuffs, especially the staples, bread and ale. At Leicester, the ale-taster took oath: "We shall truly search and assay [examine

by you, and at such prices as shall be limited [entries in the Courts Leet proceedings are plentiful regarding the prices of ale and bread] by the Justice of the Peace: and all offences committed by brewers, bakers, and tipplers [sellers of ale; a vintner sold wine], you shall present to this Court, and in everything else you shall well and truly behave

[DOCUMENT 8]

[JOHN SHAKESPEARE TWICE ELECTED A CONSTABLE, 1558, 1559]

Con Item ther trysty & welbelouyd Humfrey Plymley Roger
stabulles sadler John taylor & John shakyspeyr (Jur) Constabulles

[The *Visus* on October 6, 1559, records as]

offecers elect [the first ones in Elizabeth's reign] John taylor John shakyspeyr William tylor W^m Smythe habardasher constabulles Jur.

and test], and that which is good we shall able [authorize the sale of], and that which is ill we shall not able, and we shall not let [hinder] for favour or for hatred, kin or alliance, but we shall doe euen right and punish as our minds and consciences will serve." The general oath given in the descriptions in the records of Courts Leet commonly reads in part: "You shal well and truly serve

yourself, etc." The ale-taster's report of violations to the Court Leet was a conspicuous part of the regular proceedings.

A view of frank pledge, June 2, 1557, issued from the local Court Leet, contains the entry that John Shakespeare was fined for not attending, as ale-taster,

* For the history and duties of the office of ale-taster, see Charles I. Elton, *William Shakespeare, His Family and Friends* (1904), p. 78.

three sittings of the Court to make his report as required of him. William Taylor, one of the other ale-tasters, was also fined similarly in 1557. Now in 1556 or in 1557 John Shakespeare married Mary Arden. It may be that on June 2 his nuptials were being celebrated at Aston Cantlow; but the fine was imposed notwithstanding. The entry, in the conventional abbreviated legal Latin of the day, is given in Document 7.

2. In the year 1557, at Michaelmas, John Shakespeare was inducted into the Corporation by being chosen a Burgess. The Aldermen and the Burgesses made up the Corporation. As a Burgess, while not ranking as high as an Alderman, he sat in deliberation and voted on matters of municipal import. It should be noted that both Aldermen and Burgesses were sworn to secrecy as to the speeches made in the meetings. Attendance, upon pain of fine, was compulsory. The minutes recorded the results of the meetings only, no discussions being entered. Council Book A, p. 352, provides the oath administered: "Yow shall swere that as an (Alderman) or Capitall Burges of this Boroughe of Stratford vpon Avon, yow shalle from hensfurthe maynteyne & defende the liberties and Rightes belonginge to the same to the vttermost of your wytt & power, Yow shalle ayde & assiste the Baylyffe of this Boroughe (for the tyme beinge) when yow shalbe thervnto required in gyvinge your best aduise & Counsell as well for the benefite of thys Towne as for the good government of the same, And the lawes, orders, & statutes heretofore made & hereafter to be made by the Baylyffe, Aldermen & Burgesses of thys Borowghe or the more parts of them, for the profett & better government of this Towne, yow shalle to your power obserue & keepe, and shall not disclose the speches vsed by any man in the Counsell Chamber concernyng the affaires of the sayd boroughe at any time, to any other, but suche as shalbe of the Counsell of this Borowghe, so helpe yow god &c." Thereafter, until his election as Alderman on July 4, 1565, John Shakespeare's name regularly recurs in the list of Burgesses at the Corporation

meetings. He was not always present, however, for jury duty in the Court Leet sometimes occupied him.

3. A view of frank pledge, September 30, 1558, shows that "John shakyspeyr" was elevated by the twelve jurors of the Court Leet to a constableness. In a time when physical assaults and nighttime strangers were ever present, the position of constable required a man of considerable physical size and strength, and also, of course, of sagacity. It was a period, too, when religious bitterness between Protestants and Catholics was tense: for Mary and Philip, Catholics, had attempted arduously to win England back to the Old Faith and on Mary's death in 1558 and Protestant Elizabeth's succession a trying transitional status quo obtained. Being constable then was no sinecure. It was the best sort of experience a later High Bailiff could have. The *Visus* (Miscellaneous Documents, vii, 57, of the Borough of Stratford, preserved at Birthplace Museum) is given as Document 8 (p. 55).

These entries show that "John shakyspeyr" was "Jur" (sworn) in the Court which had elected him one of the four constables. As a constable he had charge of the watchmen, who were summoned by the sergeant. The oath taken suggests the degree of responsibility:¹⁰ A constable was to see that the watchmen "keep their own quarter, and come into none other till they be required of any other watch or but any horn blow, any fray made or outcry, peril of fire or children and all such other; also that they behave them in goodly wise in keeping of their watch, stilly going without noise or loud speech; also if any strange man or woman happen to come to this Town by night time, that then they honestly do examine such man or woman; and if they be not suspicious, bring them to an Inn, and if they be found suspicious or untrue then that they be brought to ward until the Mayor and Bailiffs have had examination of them."

¹⁰ The "Liber Custumarum" of Northampton gives the constable's oath. See Christopher A. Markham and J. Charles Fox, *Records of the Borough of Northampton*, 1898, I, 397.

[DOCUMENT 9]

[JOHN SHAKESPEARE'S REPORT AS CHAMBERLAIN, 1564]

Anno Domini millesimo Quingentesimo Sexagesimo tertio.

THACCOMPT of John taylor & John Shakspeyr chamburlens made y^e xth day of January in y^e sixt yere of the Reigne of our Soueraigne lady elyzabeth by the grace of god quene of englond fraunce & Ireland defendor of y^e feythe &c. vt sequitur

MONEY RECEIVED

| | |
|--|---------------------------------------|
| Inprimis Sum of the Roll | lli v ^s jd ob. |
| Item a rest behynd as yt appereth in y ^e last accompt | iiij ^s ix ^d ob. |
| Item of thomas barbur for v trees | xx ^s |
| Item of Ric. Hyll for ij elmys | v ^s |
| Item of Roger london | vj ^s viij ^d |
| Item of Richard lyghtfot | vj ^s viij ^d |
| Item of Raf downey fyne for hys hous | xl ^s |
| Item of mother elen for hyr Chambur | ij ^s vj ^d |
| Item of Roger london for hys chambur | ij ^s vj ^d |
| Item of Richard Sponer for a chambur | vij ^d |
| Item of m ^r Vycar | xl ^s |
| Item of medydyne wyf comying into y ^e almyshous | iiij ^s |
| Item of thomas sharp rent for hys hous | vij ^s |
| Item of John Sadler | iiij ^d |
| Item of Sponer for y ^e fyne of hous | xx ^s |
| Item of george gylbert for ij burdes | xvj ^d |
| Item of Robert [blank] for hys chambur | iiij ^s iiij ^d |
| Sum {payd} | } lviijli ix ^s xjd |
| {& le} Recevyd | |

MONEY PAYD VPPON RECEYT

| | |
|--|--------------------------------------|
| Imprimis payd ffor fallyng treez | vjd |
| Item payd for makying yrons for y ^e gret bell | ij ^s |
| Item payd for makying y ^e gret bell clapper | xxvj ^s viij ^d |
| Item payd for a hors for lok y ^e Chappell door | x ^d |
| Item payd for fallyng & Squaryng trees | vj ^s |
| Item payd for Carryenge chyppes | vjd |
| Item payd to gatclyf for Squaryng iiij treez | iiij ^s iiij ^d |
| Item payd for drawyng tymbur in y ^e old toun | iiij ^s iiij ^d |
| Item payd for a key for y ^e chest | iiij ^d |
| Item payd for a rop for y ^e Clok | xij ^d |
| Item payd to fen for carryeng sond & cley | ij ^s |
| Item payd to shakspeyr for a pece tymbur | ij ^s |
| Item payd to hall for makying y ^e vycars chymney | xvij ^s |
| Item payd to frenche for reparyng y ^e vicars hous | liiij ^s iiij ^d |
| Item payd to John tylar for tylyng | x ^s |
| Item payd to marten y ^e Carpenter | v ^s x ^d |

| | |
|--|---|
| Item payd Rent for y ^e vicars hous | xxiiij ^s |
| Item payd the Scoll m ^r | xvj ^{li} |
| Item payd to Symons hys fee | x ^s |
| Item payd for Chef rent | ij ^s vd |
| Item payd to y ^e almysfolk | xx ^{li} xvj ^s |
| Item payd for Sawyng tymbur | vij ^s |
| Item payd for defasyng ymages in y ^e chappell | ij ^s |
| Item payd for mendyng the bell rop | vij ^d |
| Item payd for a quord for y ^e ballans | ij ^d |
| Item payd for a loke to the hall dore | ij ^s vj ^d |
| Item payd for carryeng tymber to y ^e pynfold | vij ^d |
| Item payd for a door &c for y ^e pynfold | ij ^s |
| Item payd for a belrop | vj ^d |
| Item payd for kepyng y ^e Clokkes | xvj ^s |
| Item payd to alen for techyng y ^e chyllder | iii ^{li} |
| Item payd y ^e Steward for kepyng y ^e Courtes | iiij ^{li} vj ^s vij ^d |
| Item payd for reparyng mother gyles hous | vij ^d |
| Item payd to Robert Hall for woorkyng at y ^e vicars hous | xij ^d |
| Item payd to y ^e almysfolk for standyng of y ^e pynfold | vij ^d |

ALLOWANCES

| | |
|--|--------------------------------------|
| Imprimis for William Smyth Shop | vj ^s vij ^d |
| Item for burford hous | xvj ^s |
| Item for Mr Combes houses in Church Stret | xiiij ^s iiij ^d |
| Item for Chef rent for John Sadler hous | xij ^d |
| Item for pages muchyll | vij ^d |
| Item y ^e Chamburlens ffee | xx ^s |
| Item for y ^e Chappell gardyn half yere rent | xiiij ^s iiij ^d |
| Item payd to y ^e sergentes | xvj ^d |
| Item payd for an other od Riconyng | ij ^s iij ^d |

Sum payd &
leyd out w^t } lviiij^{li} iiij^s iij^d
the allowances }

Sic Remaynythe v^s ix^d whuche ys delyuered into the handes of William Tylar & William Smythe newe chamburlens So y^t they befor namyd John taylor & John Shakspeyr have made atrw & alawfull accompt for ther tyme beyng Chamburlens v^s ix^d

Et sic quieti sunt

Joh'es taylor et }
Joh'es Shakspeyr }

M^d y^t at this accompt the chardges of y^e Reparacons of the vycars hous commythe to vij^{li} xv^s vd

make no noise in the streets You are to call at all the ale-houses, and bid those that are drunk to get them to bed. . . . If you meet a thief, you may suspect him to be no true man

Watchman. If we know him to be a thief, shall we not lay hands on him?

Dogberry. Truly, by your office you may

Verges. If you hear a child crying in the night, you must call to the nurse and bid her still it.

It was these constables who, by virtue of the laws of 1557, every month "upon pain of forfeit vj^s viij^d" (about \$13 in modern values) called together the members of the Council "to keep a privy watch for the good government of the Towne." Nonattendance provoked a similar fine of 6s. 8d.

4. On October 1, 1559, and again in May 1561 the Court appointed John Shakespeare Affeeror. The Affeeror was the one who decided the fine or punishment to be imposed in cases of guilt concerning which the statute had made no express provision. The position required some degree of judicial sense, understanding, and firmness. His having been twice selected to this office speaks well for his integrity. William Greenwood (*Βουλευτησιον, or Practical Demonstration of County Judicatures*, 1659, p. 346) gives the oath imposed. In part, it read: "You shall swear, that you will truly and indifferently tax, assess, and affeer all such americiaments as are presented at this court; wherein you shall spare no man for love, favour, affection, or corruption, nor raise nor inhance upon any man, of malice, more greivous americiaments than shall be thought reasonable, according to the quality of the offence, and the faults committed, and not otherwise. So help you God, &c."

5. On October 3, 1561, John Shakespeare, with John Taylor of Sheep Street, who had been constable with him from 1558 to 1560 as senior colleague, was appointed one of the two Chamberlains of the borough of Stratford. From the oath imposed on a Chamberlain, it is clear that keeping the finances of the borough was not necessarily the major part of the

William Shakespeare, in *Much Ado About Nothing*, iii, iii, *via* Dogberry, burlesqued this office of constable virtually in the very words of the oath administered:

Dogberry. Are you good men and true? This is your charge: you shall comprehend [apprehend] all vagrom men; you are to bid any man stand, in the Prince's name You shall also

office; he was also to "improve the livelihood" and to "well and sufficiently repair" the borough tenements—official duties seldom undertaken to the same degree by modern officials. The oath employed at Leicester exemplifies a chamberlain's responsibility to his borough: "We shall be faithful and true officers unto our master the bailiff, diligent of attendance, at all times lawful, obedient to his commandments and ready to do his precepts. We shall improve the livelihood belonging to the commonalty of this town to the most behoof of the same, and the tenements thereof we shall well and sufficiently repair during our office. And we shall well and truly charge and discharge ourself of all lands' rents belonging to this town and of all other money as shall come to our hands belonging unto the commonalty of this town, and thereof a true account shall yield up unto the auditors assigned in the end of our year, and all other things lawful that belongeth or pertaineth to our offices well and truly to our powers we shall do. So keep us God, the Holy Evangel and the contents of this Book!"¹¹ The Chamberlains' obligation thus was to spend borough money advantageously.

For the first year, 1561–62 (Michaelmas to Michaelmas), John Taylor assumed the major responsibility. To the High Bailiff, the Welshman, Master Lewes ap Williams, the ironmonger in High Street, and to the Council, after it had been audited, he presented his report of receipts and expenses. It was passed as of January 24, 1563. The next year, 1562–63, John Shakespeare assumed the major share of responsibility. His report, presented on January 10, 1564, is in Council Book A, pp. 1–3. The account, as was customary, was in the handwriting of the Town Clerk—in this instance Richard Simons.¹² It is here given *in extenso* above as Document 9.

It is noteworthy that one entry is "Item payd to [John] shakspeyr for a pece [of] tymbur . . . iij^s." Moreover, at the close of the year, the Corporation owed funds to John Shakespeare which

he had from time to time advanced to the borough for the work immediately in hand. John's report had been submitted on January 10, 1564; on January 26, 1564, a Memorandum, in the Town Clerk Richard Simons' handwriting (Council Book A, p. 4) of the Council's indebtedness reads as in our Document 10.

One act of John Shakespeare's official work as chamberlain was to take over the Chapel Garden, recently in the tenure of Richard Lane, for Corporation use. This will explain the entry for the following August 30, 1564, in the Corporation minutes: "At a Hall holdyn in ovre garden the 30 daye of avguste anno 1564." Then below: "Moneye pd towards the releffe of the poore"—that is, for the plague-stricken. Aldermen and Burgesses contributed generously: among them is "John shacksper xij^d"; and he, as acting chamberlain, would distribute the funds—a total of about eighty-five dollars. Subsequent entries in the Corporation minutes show that his services were continued, for two years, after his own term expired. On March 21, 1565, the account of William Tyler and William Smith, who were Chamberlains, was "made by John Shakspeyr & John tayler"; on February 15, 1566, the account of William Tyler and William Smith, Chamberlains, was "made by John Shakspeyr." This is unparalleled in the minutes and accounts of the Corporation.

During the later period, 1564 and 1565, when John Shakespeare was Acting Chamberlain, he made every effort to improve Corporation property (see Savage and Fripp, *Minutes and Accounts*, I, 137–41 and 144–52 for the accounts). He overhauled and made thoroughly habitable the vicar's house occupied by Stratford's first Protestant vicar, John Bretchgirdle; he rebuilt the central chimney, restored the timbering,

tilled the roof, and clayed and sanded the kitchen floor. The cost was £6 15s. 5d. (about \$270). In the Gild Chapel—actually more important in the religious lives of the citizens than the then distant Parish Church—he took down the rood loft, made seats for the worshipers, and provided a communion table. He re-roofed and repaired the school, the schoolmaster's house, and the almshouse. He provided a pinfold on the Chapel premises. The additional fees for ministerial services that appear in John's report show that he was not unmindful of the needs of the plague-stricken folk in 1564.

6. The Corporation appreciated such service: on July 4, 1565, it advanced John Shakespeare to be Alderman. Eight years he had served as a Burgess. On the February 15 preceding he had made his last report as Chamberlain. On the preceding May 9, 1565, William Bott, then owner of New Place, which William purchased as his permanent home in 1597, was expelled from the Corporation for having spoken "evell woordes by [concerning] M^r Belyf & other, that ther was never a lionest man of the Councell or the body of the corporacyon of Stratford, whearuppon the said W^m Bot was Send for & dyd not cum to hys answer . . . ; and so he ys expulsyd to be non of the Company, [etc.]." Because of his "obprobrious woordes, he is not worthy hensfurthe to be of the Councell but to be expulsyd of the Councell." At the meeting at which John was made Alderman, Richard Hill was High Bailiff and Lewes ap Williams was Chief Alderman. At the meeting, one Alderman only, John Jeffreys, was absent. It was "nycolas barnshurst" who, at the same meeting, was elected a Burgess: Nicholas Barnhurst was to be John Shakespeare's companion in recusancy in 1592. Council Book A (p. 358) contains the minutes. The entire record is given here (Document 11). Note that John Shakespeare's name appears at the head of the list of Burgesses and then was placed also at the end of the list of Aldermen.

Most of the Aldermen listed here became High Bailiffs or rendered some

¹¹ Savage and Fripp, *Minutes and Accounts of the Corporation of Stratford-upon-Avon*, 1, xlix.

¹² The Town Clerks of the Corporation of Stratford-upon-Avon, after Richard Simons, who served until 1570, were: Henry Higford, who held the position from 1570; John Jeffreys, who served from 1577; Henry Rogers, who was incumbent from 1586; Thomas Greene (of "my Cosen Shakespeare" fame), who served from 1603; and Francis Collins, who succeeded Greene in 1616.

[DOCUMENT 10]

[THE STRATFORD COUNCIL IN DEBT TO JOHN SHAKESPEARE, 1564]

Stratford.

At a Hall ther holden y^e xxvj^t day of Januarye anno predicto
 The Chambur ys ffound in arerage & in dept vnto lewes ap William
 xxvj^s viij^d
 Item at y^e same hall the Chambur ys found in arrerage & ys in det vnto
 John Shakspeyr xxv^s viij^d

[DOCUMENT 11]

[JOHN SHAKESPEARE ELECTED ALDERMAN, 1565]

Stratford at the hall ther holden the fourthe day of July anno eliza-
 beth regine Septimo

Aldermen present:

m^r belyf
 m^r alderman
 m^r Smythe
 m^r Whatley
 m^r Cawdrey
 m^r Perot
 m^r quyny
 m^r Sadler
 m^r plymley
 Robart brat
 John Whelar
 William tylar
 John shakspeyr

aldermen absent:

m^r Jeffereys
 { William tylar }

at thys hall John Shakspeyr }
 ys appwyntyd an alderman }
 nycolas barnshurst to be a burges }
 gylbard bradley to be a burges }

Burgesez present:

John shakspeyr
 John taylor
 John lewes
 John bell
 Robert Salysberry
 John Sadler
 Ric. Symons
 thomas barbur

Burgesez absent:

William brace
 William Smyth habardasher
 William smyth corveser
 thomas dycson

other excellent service. At the meeting of the Council on September 12, 1565, John Shakespeare took the oath of office. From July 4, 1565, to February 15, 1566, John was both acting Chamberlain and Alderman. His name now was

regularly listed in the minutes as an Alderman. He was one of the most faithful in attendance.

7. Twice—on September 3, 1567, and a year later, on September 4, 1568, when he was duly elected—John Shakespeare's

name was accorded consideration for High Bailiff by the Corporation. To be chosen High Bailiff was to be honored with the highest social-political position within the proffering of the borough Election to the office carried with it the obligation to serve; refusal to do so involved a severe fine ("x^{li}," about \$400) not easily obviated. Council Book A, p. 367, provides the entry and the appended vote for September 3, 1567. Of the three candidates considered, Ralph Cawdrey received none, John Shakespeare received three, and Robert Perrott received sixteen and hence was duly elected. Perrott, however, found excuse not to serve: he declined to assume the responsibility. The further entry in the Council Book does not indicate how the matter was finally adjusted. However, the subsequent entries in the minutes show that, for the year 1567-68, Ralph Cawdrey and not John Shakespeare served as High Bailiff. The entry and official score for the election (a facsimile is in Halliwell-Phillipps' *Outlines*, II, 229), in the handwriting of Richard Simons, the Town Clerk, was made and is here given as Document 12.

Council Book A, p. 368, has the entry, in handwriting of Henry Higford (Richard Simons was present), for the minutes of the meeting of September 4, 1568 (given *in extenso* on page 61 as Document 13), which elected John Shakespeare Bailiff. Once again Robert Perrott obstinately refused. John Shakespeare was now elected and was sworn the following October 1. John Whelar administered the oath. Later, on September 9, 1569, Robert Perrott forfeited the fine of "xx^{li}" (about \$800) for refusing to serve as High Bailiff when duly elected: "At thys Hall the sayd Mr Robert Perrott wylfully made default and forfeitys the sayd payne of xx^{li}."

The oath administered to John Shakespeare on entering the office of High Bailiff as recorded in Council Book A, p. 352, is here given complete as Document 14.

As High Bailiff, John Shakespeare was Justice of the Peace, the Queen's Chief Officer, and Judge of the Court of Record. As such, moreover, by very

quality and rank of the office, he was eligible for a coat of arms—for the gentryhood. There is evidence that at an early subsequent date—the second copy of the 1596 draft of the coat of arms says “xx years past”—he made some move in that direction. The matter of the Shakespeare family coat of arms is fully discussed in chapters xxxvii, liii, below, and lxiii in Volume II.

After 1568–69 John Shakespeare was invariably entered in the proceedings of the Corporation and in the entries of the Court of Record over which he presided as “Master,”¹³ “Magistro Johanne Shakespeare,” or “Mr John Shakysper hygh balyf.” During his year of office, until the following September 7, 1569, when Robert Salisbury succeeded him, he was a very busy man. He presided at every recorded meeting of the Corporation and as Judge in each of the thirteen meetings of the Court of Record. When on the following January 27, 1570, Robert Salisbury and John Sadler submitted their Chamberlains’ report, two entries of interest to students of the drama were made; they are here designated Document 15 (p. 62).

This is the first entry in the Stratford records of the Corporation’s ever having received a troupe of players. Elizabeth’s favorable attitude toward the theater made for actual liberality toward dramatic troupes. Possibly John Shakespeare, as a Protestant, was not unfavorable to the newer secular plays as opposed to the older orthodox plays. The minutes of the Corporation, after 1568–69, have a goodly number of entries similar to that found during John Shakespeare’s administration.¹⁴

¹³ The addition “Master” was not casually or lightly prefixed to a man’s name in the sixteenth century. In 1594 one Sir Thomas Smith, in his *Common-welth of England*, observed: “Master is the title which men give to esquires and other gentlemen.” The *N.E.D.*, discussing the history of the word, asserts: “Originally [master] used only in speaking of or to a man either of high social rank, or of learning.” *Discolliminius* (1650) says: “I could wish we might be allow’d to call him Master Charles, for most men think he is a gentleman born.”

¹⁴ Malone (*Variorum*, II, 150–52) collated the several entries:

1569: [John Shakespeare was then Bailiff]

“Item, payd to the Quenes players, xsr.

“Item, payd to the erle of Worcesters pleers, xiiid.”

As Bailiff, John Shakespeare came into still more intimate touch with important men and important affairs. Dignity and propriety characterized his every activity. John Wheler, his Chief Alderman and a Protestant devotee; Master Henry Higford, lawyer and Steward of the borough; Richard Simons, the aged Town Clerk; Sir Robert Throckmorton;

Wheler, appropriately robed in scarlet and furred gowns, sat on Sundays with their wives in a specially reserved front pew on the north side of the nave of the Stratford Parish Church. When going to the Council meetings held in the Gild Hall, John Shakespeare was always officially escorted. John Shakespeare, as was required and expected of every High

[DOCUMENT 12]

[JOHN SHAKESPEARE A CANDIDATE FOR HIGH BAILIFF, 1567]

Anno vltimo praeterito videlicet tercio die Septembris anno dominae reginae nono

The eleccyon of the belyf & nominatyd for y^e belyf

ooooooooooooooooooooo Robart perot

ooo John shakspeyr

Raf Cawdrey

Sir Thomas Lucy, the High Sheriff of Warwick—these were some of the men with whom he had direct contacts. There were also the Quineys, the Sadlers, and others conspicuous in the borough. As Bailiff and as Chief Alderman, Master John Shakespeare and John

Bailiff, doubtless was “a lanthorn [beacon light] in good vsage and order as well to all the rest of his Brethren as to the whole commonality of the Borough, the said Bailiff shall well and decently behave himself in all degrees and indifferently [impartially] and rightly judge

1573:

“Item, p^d to Mr. Bayly for the Erle of Leicesters players, vii. viiid.”

1574:

“Given my lord of Warwicks players, xviii.
“p^d the earle of Worcesters players, vs. viid.”

1577:

“p^d to my lord of Leicesters players, xvs.
“p^d to my lord of Wosters players, iijs. iiijd.”

1579:

“Item paid to my Lord Strange men the xith day of February at the comaundement of M^r Bayliffe, vs.
“p^d at the comaundement of M^r Baliffe to the countys of Essex plears, xivs. vid.”

1580 [? 1580]:

“p^d to the earle of Darbeys players at the comaundement of M^r Baliffe, viiis. ijd.”

1581:

“p^d to the earl of Worcester his players, iijs. iiijd.
“p^d to the Lord Bartlett [Berkeley] his players, iijs. ijd.”

1582:

“Payd to Henry Russel for the earle of Worcesters players, vs.”

1583:

“Payd to M^r Alderman that he layd downe to the Lord Bartlitte his players, vs.
“p^d to the Lord Shandowes players, iiis. ijd.”

1584:

“Geven to my lord of Oxfords pleers, iijs. iiijd.
“Geven to the earle of Warr. pleers, iijs. iiijd.
“p^d to the earle of Essex pleers, iijs. viiijd.”

1586:

“p^d to M^r Tiler for the players, vs.”

1587:

“Item, p^d for mending of a forme that was broken by the Quenes players, xvid.

“Item, Gyven to the Quenes players, xxs.

“It. Gyven to my lord of Essex players, vs.

“It. Gyven to therle of Leycester his players, xs.

“It. Gyven to another compayne, iijs. iiijd.

“It. gyven to my lord of Staffords men, iijs. iiijd.”

1592 }

1593 }

1596 }

Entries for xxs., xxs., and xs. for the “Quenes plairs”

1596

Other memoranda show that Lord Derby’s and Lord Ogle’s servants visited Stratford in this year.

1597:

“Item, p^d for four company of players, xixs. iiijd.”

1583:

“Payd to Davi Jones [a resident of Stratford] and his compayne for his pastyme at Whitsonyde, xiiis. iiijd.”

Ibid., p. 153:

“17 Dec. 45 Eliz. 1602.

“At this Hall yt is ordered, that there shall be no plays or interludes played in the chamber, the guildhall, nor in any parte of the howse or courte, from hensforward, upon payne that whoever of the baytief, aldermen, or burgesses of the boroughe shall gyve leave or license thereunto, shall forfeit for everie offence—xs.” [520].—

Registr. Burg. Stratf. B.

In consequence of Puritan enthusiasm, during the whole of James’s reign, only two entries for theatrical performances in Stratford occur. In 1622 (Account of Richard Robins, Chamberlain) and in 1625 the King’s Company was paid for not playing in the hall.

[DOCUMENT 13]

[JOHN SHAKESPEARE AGAIN A CANDIDATE FOR
HIGH BAILIFF, 1568]

Stratford At A hall holden there the iiijth Day of September in the
Burgus tenth yere of o^r Souereygne Ladye Elizabeth By the grace
of god of England ffraunce & Ireland Quene Dessendor
of the saythe &c There was Present m^r Raffe Cawdre hyzgh balyf
m^r Richard hyll Alderman m^r William Smythe m^r George Whateley
m^r Robert Perrot m^r Lewes m^r William Tyler m^r Shakysper m^r Robert
Bret John Taylor Henri hygford at w^{ch} tyme they w^t the rest of their
Compaynye { they } procedyd to thellection of their balyf for the next
yere.

Burgenses present:

William Brace
Thomas Dyxson
John Sadler
Robert Salusburye
Richard Symondes
John Bell
Thomas Barbur
Nicholas Barnehurst
William Smythe

The names whereof one to be

Balyf
m^r John Shakysper }
m^r Robert Perrot }
Robert Salusburye }

[DOCUMENT 14]

[JOHN SHAKESPEARE'S OATH AS HIGH BAILIFF]

The othe of the Baylyffe Yow shalle swere that as a Justice of the peace & bay-
lyffe of thys borowghe of St[r]atford] & liberties therof
for thys yere to Come, ye shalle to the vttermost of your
Cuninge wytt & power may[n]tene & defende the liber-
principall- alderman. ties of the same borowghe, and shalle do egall right as-
well to the pore as to the riche after your knowledge wytt
& power & after the lawes & Customes of this Realme
& statutes therof made, And yow shalle not be of Counsell withe any
person in any quarrell or sute that shalle Come before yow, nor shall
lett for any gyfte or other Cause but well & truly shall do your office
in that behaffe, And yow shall not directe or cause to be directed any
warrant by yow to be made to the parties to the accon, but ye shalle
directe them to the officers & ministers of the seyd borowghe or to some
other indifferent person or persons to do execution therof so helpe
yow god, &c.

and deal towards all men of the same
Borough according to the right of the
cause; and so likewise shall be comely
attired in apparell, etc."¹⁶ Much was ex-

pected of Master John Shakespeare. Wil-
liam Shakespeare's father thus provided

¹⁶ Alfred Beesley, *The History of Banbury* (1841),
p. 234.

a dignified background for the child-
hood of the future dramatist. William
Shakespeare, through his father, came
into contact with the best that social and
municipal Stratford afforded.

8. The minutes of the Corporation
for September 5, 1571, show that, in ac-
cordance with the conventional practice,
ex-Bailiff John Shakespeare was elected
Chief Alderman for the year. As was
customary, in the minutes his name
thereafter was listed at the top just be-
low that of High Bailiff, Adrian Quiney.
He was thus deputy to his old colleague,
whose very first act was to dispose of the
Catholic vestments remaining in the
Gild Chapel. They were sold, and the
proceeds were applied to Corporation
purposes. To the Chief Alderman not
infrequently the diplomatic affairs of the
Corporation were entrusted. The reso-
lution of the Council at this time (Janu-
ary 18) reads: "At this hall it ys agreed
by the asent and consent of the aldermen
and burgesses aforesaid that Mr. Adrian
Quiney, now baylif, and Mr. John
Shakespeare shall at Hillary terme [see
note 3 in chapter x, p. 112] next ensu-
inge deale in the affayres concerninge
the commen wealthe of the borrough
accordinge to their discretions." The
Chamberlain's account shows that John
Shakespeare and Adrian Quiney gave a
dinner in Stratford in honor of Sir
Thomas Lucy of Charlecote. It shows
also that Quiney was required, subse-
quently, to go to London to seek the aid
of influential men at Court and in Parlia-
ment in the borough's interest. Thomas
Barber, one of the Chamberlains, for
the purpose, delivered a total of £7
(about \$280) to Quiney as allowance.

9. In a Corporation meeting in Sep-
tember 1586 the names of Alderman
John Wheler and Alderman John
Shakespeare were dropped from the
Council. With this act on the part of
the Corporation, John Shakespeare's
activities in municipal affairs came to a
definite end. As early as 1577, five years
after he had been made Chief Alderman,
he began to be absent from the meetings
of the Council. In January 1578 he was
exempted by the Council from contrib-
uting his "iijs ivd" toward furnish-

ing the equipment of three pikemen, two billmen, and an archer. Later, he was excused from paying his weekly "iv^d" toward the support of the poor. It was not uncommon for the Corporation to release one of its long-standing members because of nonattendance. Hence the interpretation is not to be that he had become *persona non grata*, as in the instance of William Bott in 1565, or that strained relations had developed, or that his services no longer could be efficient. In no sense must it be concluded that John Shakespeare was "expelled and deprived of his alderman's gown." John Wheler, also long in the service of the Corporation, was likewise officially released from the Corporation. Wheler and John Shakespeare had had long municipal experience—arm in arm, so to speak. When in 1568–69 John was Bailiff, Wheler was his Chief Alderman. In the Court of Record and in the Council they sat together. They endeavored to bring to heel Robert Perrott, the wealthy Puritan brewer, for shirking his Council responsibilities. Twice Wheler had been High Bailiff. Frequently he too had been absent from Council meetings. To both men, the Corporation had been indulgent in the matter: their long service did not go unappreciated. John Shakespeare had, in ten years, attended apparently but one meeting. Regularly, during those years, he was checked for absence but never fined. The Council, obviously, was reluctant to sever the connections of such men as these. But a rising generation of men who would be called upon, in time, to serve the community had to be brought, by election of the Council itself, into the organization, and the Council was obliged to act. William Smith and Richard Court were accordingly elected to take the places of Wheler and John Shakespeare. The minutes as recorded in Council Book A (p. 259), here provided as Document 16, tell the entire story.

It is to be noted that "m^r wheler dothe desyre to be put out of the Companye." Certainly, in his case, it was his own wish that his connection with the Corporation be severed. Also that "m^r Shaxspere dothe not Come to the halles

[DOCUMENT 15]

[STRATFORD CORPORATION ENTRY OF PAYMENTS
TO PLAYERS, 1570]

| | |
|---------------------------------------|------------------|
| Item payd to the Quenes Pleyers | ix ^s |
| | |
| Item to the Erle of Worcesters Pleers | xij ^s |

[DOCUMENT 16]

[JOHN SHAKESPEARE RELEASED AS ALDERMAN, 1586]

| | |
|-----------|--|
| Stratford | Ad aulam ibidem tentam vj ^o die Septembris Anno Regni |
| Burgus | domine Elizabethe dei gracia Anglie francie & Hibernie |
| Scilicet | Regine fidei defensoris &c vicesimo octauo |

Nomina Aldermannorum:

Nomina Burgensium:

- | | |
|-------------------------------|----------------------|
| * .. Willelmus Tyler Ballivus | .. Willelmus Smythe |
| .. Adrianus Quayney | Johannes Tayler |
| . Georgius Whateley . | .. Willelmus Brace |
| . Radulphus Cawdrey . | .. Petrus Smarte . |
| . Lodovicus ap Will'ms . | .. Phillipus Grene |
| .. Humffridus Plumley | .. Thomas Goodwyn |
| .. Ricardus Hyll | . Ricardus Courte . |
| { Johannes Wheler } | .. Johannes Smythe |
| { Johannes Shaxspere } | . Ricardus Quayney . |
| . Robertus Salysburye | . Georgius Bardell . |
| . Thomas Barber | .. Willelmus Parsons |
| .. Nicolaus Barneshurst | .. Carolus Beynton |
| . Willelmus Wylson | .. Johannes Gybbes |
| Thomas Dyxson | .. Thomas Rogers |

* The pricks are apparently for four meetings: two on September 6, when twenty-four attended in the morning, and fifteen in the afternoon; two on a subsequent date in September, when seven attended in the morning (not a quorum), and twenty-one in the afternoon.

[meetings] when they be warned [notified] nor hathe not done of Longe tyme."

Note further that the John Shaxspere on record in these minutes as appointed constable was not, of course, the poet's father but the shoemaker of that name

who was the son of the late Thomas Shakespeare of Warwick.

D. From the Court of Record entries and from other records of business activities it is clear that John Shakespeare from 1556 to 1596, a period of forty years, was an active businessman in

Stratford-upon-Avon. Most of these entries are to be found in J. O. Halliwell-Phillipps' *Life of William Shakespeare* (pp. 40-46), in his *Extracts from the Registry of the Court of Record of Stratford-upon-Avon*, and in his *Outlines* (pp. 215-48), where the extant documentary annals for John are fairly accurate and complete so far as documentary materials concerning his finances are concerned.

Certain critical observations should be made concerning the Court of Record entries if the finances of John Shakespeare are to be understood properly. The first is that the Rev. T. Carter (*Shakespeare Puritan and Recusant*,

four or five successive entries apply to one and the same suit. The second observation is that John Shakespeare, judging from the Court of Record entries, actually participated, over a period of forty years, in some twenty-five suits—in sixteen of which he was the complainant and in nine of which he was the defendant. These twenty-five cases are, of course, not fully inclusive; for not all cases of suit were within the jurisdiction of the Stratford borough, and hence entries for some are not in the Court of Record. The third observation is that only a few of the entries indicate the sum involved in the action. The fourth point is that the records for 12 to 26

instances not so many. The Quineys, the Sadlers, the Nashes, and others often experienced similar suits. The sixth consideration is that these suits for collecting a debt were not infrequently between friends—Adrian Quiney sued John Shakespeare, and John Shakespeare sued Henry Field (father to Richard Field, who published *Venus and Adonis* and *Lucrece*), whose goods, in 1592, John inventoried and "prised." The seventh consideration is that being the "plaintiff" or being the "defendant" in such a legal action cannot, in itself, be taken as conclusive evidence that a given businessman was either prosperous or not prosperous. The winning or the losing of the suit cannot in and of itself be taken as proof of the solvency or insolvency of the parties in the legal action. Then, too, the outcome of the suit is not always entered in the record: it is clear that, not infrequently, the case was settled out of court. Sometimes, also, the case was discontinued—in which instance the penalty was a conventional "ijd." And a final observation is that the Court of Record was a local court which, in addition to many other things, actually served as a sort of agency for collecting debts. That is, in the absence of a general banking business, and in the absence of modern, systematized, monthly submitting and paying of bills, and in the presence of dilatory methods of conducting barter and exchange, frequent resort to a suit—a "*queritur . . . de placito debiti*"—in the Court of Record was instituted either to collect the debt or at least to come to an adjustment. In the light of these circumstances, clearly John Shakespeare's business career was only typical; there was little or nothing unusual about it.

Lack of space forbids listing here in detail all the documents which throw light on John Shakespeare's financial activities; a brief summary only and certain examples will have to suffice. A number of the more important items are critically discussed later in this volume. John Shakespeare was not particularly litigious.

1. It is interesting to note that in the very same year (1556) that Thomas

| | |
|--|--|
| Eleccion of | Thomas Barber |
| the baylyffe | { Willelmus Wylson } (finem fecit) Robertus Sallysburye Nicolaus Bannester of w ^h che thre M ^r Barber ys thought to be most fittest to be baylyffe. |
| Elleccon of y ^e Alderman | George Whateley ys chosen to be alderman Juratus |
| Chamberlens | Ric. Quiney & John Gybbes Jurati |
| eleccon of newe aldermen | At thys halle William Smythe & Richard Courte are Chosen to be Aldermen in the places of John Wheler & John Shaxpere for that m ^r wheler dothe desyre to be put out of the Companye & m ^r Shax- spere dothe not Come to the halles when they be warned nor hathe not done of Longe tyme |
| Constables | George Badger Rodger Welshe John Shaxspere Ju- rati Humffrey brace Juratus |
| Tasters | David Jones & valentine Taunte Jurati |
| Leather sealers | William Bell & John Jordan Jurati |
| Seriantes | Henrye Russell & Roberte Gybbes Jurati |

p. 166) is wholly misleading in his statement that from July, 2 Philip and Mary, to March, 37 Elizabeth, John Shakespeare figures in sixty-seven cases in the Court of Records. Had he said that he appears in sixty-seven different entries, he would have been nearer the truth; but he failed to note that in some cases

Elizabeth, 1570-1584, are not very complete—this is the indefinite period in the biography of John Shakespeare, during which other important suits may have occurred. The fifth point is that John Shakespeare had no larger number of suits in the Court than many another prominent Stratfordian—in a number of

Siche was suing John Shakespeare for debt, John, on November 19, 1556, in the local Court of Record, brought suit against his neighbor and friend, Henry Field, for nondelivery and restraint of "xviij. quarteria ordeï"—eighteen measures of barley. The entry for November 19, 3 & 4 Philip and Mary, here constitutes Document 17. Then, in succession, John Shakespeare brought suit against Walter Malpes on July 13, 1557; against Richard Wagstaff on September 22, 1557; against John Asshell for "xliij^s." (about \$85) on October 20, 1557; against Matthew Bramley on February 1, 1558 (and was fined "ij^d." for not carrying on the suit); against Richard Court for "vj^s. vjd." (\$13) on July 1, 1558; and against Aliciem Newell on September 20, 1559. On the other hand, Adrian Quiney and Thomas Knight brought suit against John Shakespeare for "vj^{li}" (about \$240) on April 19, 1558; William Malpes against John Shakespeare for "viij^s." (\$16) on April 19, 1558; Francis Herbage against John Shakespeare for "x^s." (\$20) on November 19, 1558; and Robert Locke against John Shakespeare on April 1, 1559.

Again, John Shakespeare instituted suit against Richard Court on January 20, 1563; against Richard Careles on September 1, 1563; against Humfrey Gaddcliffe on January 19, 1564; and against John Mille on June 6, 1565. John Pagge, in September 1566, via Henry Higford (Steward of the Corporation), who issued the summons, brought John Shakespeare into the Court. The MS Longbridge (since burned), the 1567 Subsidy Roll for Stratford, listed John "Iohn Shakespere in bonis iijij^{li}."—"on goods £4" (\$160)—a goodly sum for him. On September 11, 1566, in a suit (in fact, two of them totaling £19) against Richard Hathaway (father of Anne Hathaway), John Shakespeare's name, in the Court entry, was substituted for the deleted name Richard Hathaway. This has been interpreted by Captain Saunders, who discovered the entry, to indicate that John had gone first security for Richard.

It was during 1562-63 and following years that John Shakespeare, as Cham-

berlain and ex-Chamberlain, advanced funds to the Corporation for work in hand. In 1564 during the plague he contributed generously to the stricken poor.

In 1571 John proceeded against Richard Quiney (father of Thomas, who in 1616 married Judith Shakespeare), son

3. Common Pleas Roll 1313, membrane 399, Easter Term, 15 Elizabeth, 1573, Warwick, records the suit in which Henry Higford, gentleman, of Solihul brought action against John Shakespeare to recover a debt of £30 (\$1,200). Henry Higford and John Shakespeare were

[DOCUMENT 17]

[COURT OF RECORD ENTRY OF JOHN SHAKESPEARE'S SUIT
AGAINST HENRY FIELD, 1556]

Johannes Shakysper queritur versus Henr. Fyld in placito quod reddat ei xvij. quarteria ordeï qua ei injuste detinet, &c.

of his friend, Adrian Quiney, to collect a debt of £50 (\$2,000).

2. Common Pleas Roll 40/1304/910d, Easter and Trinity Terms, 14 Elizabeth, 1572, London, is a court summons requiring John Luther to answer John Shakespeare for a debt of £50 (\$2,000) and £10 (\$400) damages. John secured

close acquaintances: while Higford had been late Steward of the Corporation John Shakespeare had been Chief Alderman. Easter Term of Court was April 8 to May 4. The suit involved a number of persons: (a) John Shakespeare for £30, (b) John Musshen for £30, (c) John Wheler, Shakespeare's companion

[DOCUMENT 18]

[COURT SUMMONS TO JOHN LUTHER CONCERNING HIS DEBT
TO JOHN SHAKESPEARE, 1572]

London. John Luther, late of London, glover alias John Luther of Banbury, Oxon., glover, was summoned to answer John Shaxbere of Stretford on Avon in co. Warwick, yeoman, in a plea that he owed him £50, etc. And John Shaxbere, by Henry Burr his attorney, said that John Luther on 16 June 13 Eliz. at London by a certain writing obligatory had acknowledged himself bound to the same John Shaxbere in the aforesaid £50 to be paid on demand. The said John Shaxbere had been damaged to the value of £10. And he produced there in Court the writing. And John Luther, by Thomas Gardener his attorney, came and defended force and injury, etc.

judgment for the £50 and was allowed 33s. 4d. damages. J. Leslie Hotson discovered this entry and printed it in his *Shakespeare versus Shallow* (p. 38), from which the entry is reprinted here. This suit in 1572 by John Shakespeare to collect a sum equal to \$2,400 was followed the very next year by a suit against him by Henry Higford to collect £30 (\$1,200). Document 18 shows the summons to John Luther.

in arms in municipal affairs, for 80s. Obviously the suit resulted from some default in business loans. In all other legal documents where John Shakespeare is identified, he is described as "yeoman" or "glover." Here he is described as "whyttawer," a tanner of white leather from which the finer gloves and more expensive leather articles were made. Warrants for the arrest of John Shakespeare *et al.* were obtained by this court

[DOCUMENT 19]

[JOHN SHAKESPEARE SUED BY HENRY HIGFORD, 1573]

Warr. scilicet. Henricus Higford Generosus alias dictus Henricus Higford alias dictus Henri Higford of Solyhull in propria persona sua optulit se iij^{to} die versus Johannem Shakysper, nuper de Stretford-super-Avon in comitatu predicto, whyttawer, alias dictum Johannem Shakysper de Stretford-super-Avon in Comitatu Warrwicensi, whyttawer; et versus Johannem Musshen, nuper de Walton Debell in Comitatu predicto, yoman, alias dictum Johannem Musshen de Walton in Comitatu predicto, yoman; de placito quod uterque eorum reddat ei triginta libras; et versus Johannem Wheler nuper de Stretford super Avon in Comitatu predicto, yoman, de placito quod reddat ei octoginta solidos: quos ei debent et iniuste detinent &c; et ipsi non venerunt, et sicut pluribus preceptum fuit Vice comiti, quod caperet eos si &c; et salvo &c; ita quod haberet corpora eorum hic ad hunc diem, scilicet a die Paschae in quinque septimanas; et Vicecomes modo mandat quod non sunt inventi &c: ideo preceptum est Vicecomiti quod exigi faciat eos de comitatu in comitatum quoadusque &c utlagentur si non &c; et si &c tunc eos capiat; et salvo &c ita quod habeat corpora eorum hic a die Sancti Michaelis in quindecim dies et unde &c; Et sciendum est quod breve inde Justiciarii hic in curia isto eodem termino deliberaverunt Antonio Grene deputato Vicecomitis comitatus predicti in forma juris exequenda &c.

[English translation of the legal Latin is as follows]:

[Henry Higford, gentleman, otherwise called Henry Higford, otherwise called Henry Higford of Solihull, in his own person appeared on the 4th day, against John Shakespeare, late of Stratford-upon-Avon, in the County aforesaid, whittawer, otherwise called John Shakespeare of Stratford-upon-Avon in the County of Warwick, whittawer; and against John Musshen of Walton D'Eivile in the County aforesaid, yeoman, otherwise called John Musshen of Walton in the County aforesaid, yeoman; in plea that each of them pay him Thirty Pounds; and against John Wheler, late of Stratford-upon-Avon, in the County aforesaid, yeoman, in plea that he pay him Eighty Shillings: which they owe him and unjustly detain &c; And they came not into court; and therefore a precept was issued by several to the Undersheriff to take them if &c, and safe &c so that he have their bodies here at this day, namely from Easter Day in five weeks; And the Undersheriff now of late sends word that they have not been found &c: Therefore it is a precept to the Undersheriff that he have them sought out from county to county until that &c, they be outlawed if not &c, and if &c there he take them and safe &c so that he have their bodies here from the day of St. Michael in fifteen days and whence &c; And it is to be known that the Justices hence in court in that same term have despatched a letter to Anthony Greene, the deputy of the Undersheriff of the County aforesaid in form of the law to be executed &c.]

order. Both the transcript and the translation of this legal document are here reprinted, as Document 19, from Savage and Fripp, *Minutes and Accounts of the Stratford-upon-Avon Corporation* (II, 70-71).

4. In 1575, for the sum of £40 (about \$1,600), John Shakespeare purchased the west two tenements of the Birthplace property in Henley Street. This topic is treated critically in chapter x, below. Here, as in earlier suits, the presumed possession of ready money does not indicate financial embarrassment.

Fripp (*Shakespeare Studies*, p. 88), commenting on John Shakespeare's position at this date, observes: "Alderman Shakespeare at the close of 1576, when his son William was in his thirteenth year, was 'a Queen's Officer,' a Justice of Peace within the borough (past Bailiffs had a seat on the bench), possessing lands and tenements and goods to the value of £250 or £300 (say, £3,000 to £4,000 in postwar money), and married to 'a daughter and heiress of Robert Arden, a gentleman of worship'; with a position therefore in the county as well as in Stratford. Historians have not adequately recognized the status of Shakespeare's father in 1576."

5. On January 29, 1578, the Stratford Council took official action to provide the furniture (equipment) for "thre pikemen ij billmen & one archer vj^s viij^d" but exempted Aldermen and Burgesses, including "m^r shaxpere." The entire excerpt of the minutes from Council Book A, p. 182, is here given as Document 20.

Such exemptions are not uncommon with respect to men who had long served the Corporation. His exemption does not demonstrate financial embarrassment. If it did, then the others listed—"m^r plumley," "John walker," etc.—were likewise poverty-stricken; yet only Robert Bratt has been held to have been poor. Other reasons than that of being too poor to pay his assessments of "ij^s. iij^d." (about \$7) must be advanced in explanation of this exemption. Fripp asserts (*Shakespeare Studies*, pp. 81 ff.; also his Introductions to Savage and Fripp's *Minutes and Accounts*) that

John refused to pay because of his strong Puritan opposition to the Queen's activities against the Puritans.

6. On November 19, 1578, the Stratford Council assessed each Alderman "iiij^d" (about 65 cents) a week for the relief of the poor, "savage m^r John shaxpere and m^r Rob't bratt." From Council Book A (p. 190) the entire excerpt is here given as Document 21.

Robert Bratt is believed to have been really poor because, in a certain contribution (1564) to a similar fund, he contributed least. But no documentary evidence has been produced that Robert Bratt's poverty was of such sort that he could not pay the assessed "iiij^d." for weekly relief to the poor.

But John Shakespeare not only was exempted from payment as an Alderman but also did not pay his assessment of "iiij^s. iiij^d." as a citizen. On the following March 11, 1579, a report was made as to the collections for the pikemen, etc., among the populace. The name "m^r shaxpeare," with others, was in the list as "vnpayd and unaccounted for." Council Book A (p. 87) contains the minutes from which an excerpt is given here as Document 22.

Certain transactions, occurring in rapid sequence, throw additional light upon the finances of John Shakespeare. The will of Roger Sadler, probated November 14, 1579, lists "Debtes which are owing unto Mr. Roger Sadler . . . Item of Edmund Lambert and Cornishe for the debt of M^r John Shacksper vii [about \$200]." The "M^r" identifies this man as the ex-High Bailiff rather than as one of the other two John Shakespeares in or near Stratford. On November 14, 1578, he apparently mortgaged property (forty-eight acres) in Wilmcote to Edmund Lambert. The document recording this mortgage is not in existence, but the transaction is mentioned in a Bill of Complaint, dated 1588 (Document 55, p. 136). In Hilary Term, 1579 he leased Wilmcote property (approximately 86 acres) to Thomas Webbe and Humphrey Hooper (see chapter xviii). A foot of fine dated Easter Term, 1579, transferred property in Aston Cantlow to Edmund Lambert

for £40. The relationship between the property involved in the three documents is not clear; there was obviously some confusion over the mortgage and transfer to Lambert, for John Shakespeare vainly tendered the £40 to Lam-

her sisters, was sold in 1580, for £40, also to Robert Webbe (see chapter xxii).

In 1580 he was fined £20 for not appearing in the Court of Westminster (see Stopes, *Shakespeare's Environment*, pp. 41-42) and also an additional £20

[DOCUMENT 20]

[COUNCIL EXEMPTION OF ALDERMAN JOHN SHAKESPEARE FROM A CERTAIN ASSESSMENT, 1578]

At this hall yt ys agreed that euery alderman, except suche vnder wrytten excepted, shall paye towards the furniture of thre pikemen ij billmen & one archer vj^s viij^d, & euery burgesse except suche vnder wrytten excepted shall pay ij^s iiij^d

| | | |
|--------------------------|-------------------------------------|---------------------------------|
| m ^r plumley | v ^s } | Aldermen |
| m ^r shaxpeare | ij ^s iiij ^d } | |
| John walker | | ii ^s vj ^d |
| Robert bratt | | nothinge in this place |
| Thomas brogden | | ij ^s vj ^d |
| William brace | | ij ^s |
| Anthony Tanner | | ij ^s vj ^d |
| | Summa | vjli xiiij ^d |

The inhabitantes of euery ward are taxed at this hall as by notes to them deliuered yt may appeare.

[DOCUMENT 21]

[COUNCIL EXEMPTION OF JOHN SHAKESPEARE FROM POOR-RELIEF PAYMENTS, 1578]

Item yt ys ordened that euery alderman shall paye weeklye towards the releif of the poore iiij^d savage m^r John shaxpeare and m^r Rob't bratt who shall not be taxed to paye any thinge. m^r lewes and m^r plumley are taxed to paye weeklye eyther of them ij^d { a pece } and euery burgesse are taxed weekeley at ij^d a pece

Item yt ys ordened at this hall that euery alderman and burgesse that hath made default not Comminge to this Hall accordinge to the order shall paye their americiament

bert to recover the property mortgaged to the latter, only to have it refused unless he paid other obligations also due Lambert (see chapter xix). On October 15, 1579, a deed of sale records the transfer of a piece of property in Snitterfield to Robert Webbe (see chapter xxi). Interest in another Snitterfield property, apparently his wife's inheritance from

for not producing another (whose bail he had gone) in the same Court. John Shakespeare forfeited his £40 (see pp. 74 ff. for critical discussion).

There is no question that the declining wool trade in England was a financial trial to more than one dealer in wool, and John Shakespeare was a dealer in wool. On October 27, 1585,

John Brown, in the local Court of Record, entered suit to collect a debt from John Shakespeare and got judgment. In 1588 and 1597 John Shakespeare in two successive bills of complaint (see chapter xix, pp. 136 ff.) sought to recover from John Lambert the Wilmcote property he had mortgaged to Edmund Lambert

such devotees will examine the other entries for suit in the Court of Record, the following will be manifest: (a) The legal phrase "nihil habet unde distringi" was wholly conventional and was often used as reporting that the defendant had not been found or that, for some reason, the writ had not been executed.

[DOCUMENT 22]

[COUNCIL RECORD OF JOHN SHAKESPEARE'S NONPAYMENT OF A CITIZEN'S LEVY, 1579]

| | | |
|--------------------------|-------------------------------------|--|
| John Tonge | iiij ^d | } these somes are vnpayd and unaccompted for |
| George badger | xij ^d | |
| Thomas Ward | vj ^d | |
| m ^r shaxpeare | iiij ^s iiij ^d | |
| m ^r nashe | iiij ^s iiij ^d | |

on November 14, 1578. The attempt appears to have been abortive.

7. A "writ of distringas," January 13, 1586, issued by the local Court of Record, reported that "Johannes Shackspeare nihil habet unde distringi potest levare"—he had nothing which could

(b) In several other entries relating to suits against John Shakespeare, at times when he certainly had resources, the same sort of legal writ was ordered by the Court and the same sort of report was made thereon; often for him in his suits against others, this identical legal

[DOCUMENT 23]

[COURT OF RECORD ENTRY CONCERNING JOHN SHAKESPEARE'S FINANCIAL STATUS, 1586]

Stratford } Curia dne Regine ibm tent. xiiij. die Januarij anno
Burgus } regni &c. vicesimo octavo

Ad hunc diem Servien[tes] ad Clavam burgi predict[i] retorn[averunt] pr[ecipe] de distr[ingas] eis direct[um] versus Joh[ann]em Shackspeare ad sect[am] Joh[ann]is Browne q^d [quod] predict[us] Joh[ann]es Shackspeare nihil habet unde distr[ingi] potest levare Ideo fiat Ca[pias] versus eundem Joh[ann]em Shackspeare ad sect[am] Joh[ann]is predict[i] Browne si petatur

be distrained or that could be legally attached and used by the Court to satisfy the debt. The entire entry is here given in full as Document 23, with the abbreviated legal Latin forms spelled out in full and the necessary added letters enclosed in brackets.

A great deal has been made of this entry by believers in a poverty-stricken ex-High Bailiff John Shakespeare. If

action was taken and the same report, "nihil habet,"¹⁶ was made. (c) In and of itself the phrase "nihil habet unde distringi" did not prove that the defendant had no goods of any sort to attach—"goods" only (not land) being

¹⁶ See Rev. Thomas Carter's *Shakespeare Puritan and Recusant*, 1897, pp. 200-203, for a collation of such writs of "distringi" to which John Shakespeare was a party.

legally subject to such a writ. (d) Similar writs by the hundreds were issued by the Court against others in Stratford—persons, too, who did not have any sort of "goods" left on which to distrain. It is obvious, then, that from this "nihil habet," in the absence of other confirming documentary evidence, one cannot logically conclude that in 1585-86 John Shakespeare had been reduced to pinching poverty. Certainly his having been released from the Council in 1586 was not the result of poverty on his part: twice in 1586 he sat on a jury, showing that he had not lost caste.

John Shakespeare must have had some degree of financial prestige, for on July 19, 1587, he generously appeared at Coventry and went bail to the amount of £10 for the appearance in Court of the Queen's Bench of Michael Price accused of a felony: "Michael Pryce de Stretford sup[er] Avon[am] in Com[itatu] Warr[wicensi] tinker Joh[ann]es Shackspeare de c[on]suetudine villa & Com[itatu] glover" (Controlment Roll No. 44, King's Bench, Crown Side, 29 Elizabeth, 1587). Price played false by not appearing in Court, and John forfeited his bail. Moreover, in late 1586 or in early 1587, Nicholas Lane brought suit against John, on the ground that he had obligated himself for the sum, to recover £10 of an original debt of £22 incurred to Lane by Henry Shakespeare, John's brother. John was arrested, and was released on the security of his friend, Alderman Hill. John lost the suit. True, in 1588 no John Shakespeare appeared in the Stratford subscription list for funds and materials in preparation for the national defense against the Spanish Armada; but no one at all was listed from Stratford. On June 20, 1588, John sued John Thompson. On April 23, 1588, he entered action against William Greene; but this suit was settled (*concordati sunt*) out of court. On October 22, 1589, he entered suit to collect a debt from Richard Sutton. And the survey of the possessions of the Earl of Warwick show that in 1590 John Shakespeare still owned the Henley Street properties.

On February 24, 1591, Adrian Quiney,

Humfrey Plumley, and Richard Hill continued their suit against John Shakespeare because of his "default" in payment of a debt. On the following April 21, 1591, John sued Robert Jones to collect a debt of "ix^s. id." (\$18). On September 25, 1592, he was listed as a recusant with the wholly conventional statement: "... coom not to churche for feare of processe for debtt" (see below, p. 78). In 1592 he made the inventory of the goods of his friend Henry Field and those of Ralph Shaw. In 1592, John Burbage of Stratford brought suit against John Shakespeare to end a lease to a property which John had rented to him. On January 10, 1593, Richard Tyler brought suit to recover a debt from John. And on March 19, 1595—this is the last suit of any record now known against John Shakespeare—Adrian Quiney brought legal action against Philip Green, Henry Rogers, and John Shakespeare to collect a debt of "vli" (\$200).

In Trinity Term, 1599, only two years before his death, John Shakespeare brought suit in the Court of Common Pleas (MS C.P. 40/1626/353*d*, discovered in the Public Record Office by J. Leslie Hotson and printed in *The Times* [London], November 22, 1930) against John Walford of Marlborough, Wiltshire, to recover a debt of £21 (about \$840). It was alleged that John Shakespeare, at Stratford-upon-Avon, on November 4, 1568, had sold to John Walford twenty-one tods (a tod was a unit of weight of twenty-eight pounds in wool transactions) of wool for £21. Since the sale was for cash to be paid on demand, and since it was alleged that the sum had not been paid, John Shakespeare sued for £10 damages. William Court was attorney for John; Stephen Henchman was attorney for Walford. The court entry next given is the reply of John Walford to the legal proceedings against him by John Shakespeare. The sum of £21 (\$840) was a not inconsiderable sum in those days and the damages of £10 (\$400) were relatively heavy. The result of the suit is not known. This is the first specific documentary evidence that John Shakespeare was a dealer in wool; and twenty-one

tods (588 pounds) in one sale suggests a rather considerable dealer in that commodity.¹⁷ The Latin document, as transcribed by Professor Hotson, is here given in full as Document 24.

ment in his later years. It should be quite evident from his municipal activities and from his business affairs that he was both a prosperous and a prominent citizen of Stratford from 1557 until the

[DOCUMENT 24]

[COURT OF COMMON PLEAS RECORD OF JOHN SHAKESPEARE'S
SUIT AGAINST JOHN WALFORD, 1599]

Warr ss Johannes Walford nuper de Marlborowe in Comitatu Wiltes yoman summonitus fuit ad respondendum Johanni Shakespere de placita quod reddat ei viginti & vnam libras quas ei debet & iniuste detinet &c. Et vnde idem Johannes Shakespere per Willelmum Court Attornatum suum dicit quod cum predictus Johannes Walford quarto die Novembris Anno regni domine Regine nunc decimo apud Stretford super Avon emisset de eodem Johanne Shakespere viginti & vnam toddas lane vocatum toddes of wooll pro predictis viginti & vna libris soluendis eidem Johanni Shakespere cum inde requisitus fuisset; predictus temen Johannes Walford licet sepius requisitus predictas viginti & vnam libras eidem Johanni Shakespere nondum reddidit set illas ei hucusque reddere contradixit & adhuc contradicit; vnde dicit quod deterioratus est & dampnum habet ad valenciam decem librarum. Et vnde producit sectam &c.

Et predictus Johannes Walford per Stephanum Henchman Attornatum suum venit. Et defendit vim & iniuriam quando &c. Et dicit quod ipse non debet prefato Johanni Shakespere predictas viginti & vnam libras nec aliquam denarium inde in forma qua idem Johannes Shakespere superius versus eum narravit. Et hoc paratus est defendere contra ipsum & sectam suam prout Curia Regine hic constituet; Ideo consideratum est quod predictus Johannes Walford vadetur ei inde legem suam se duodecima manu plegia de lege Johannes Den Ricardus Fen. Et veniat cum lege sua hic a die sancti Michaelis in vnum mensem Et dictum est prefato Attornato predicti Johannis Walford quod tunc habeat hic eundem Johannem Walford magistrum suum in propria persona sua ad perficiendum legem suam predictam si &c.

The foregoing documents present the known details concerning John Shakespeare's financial standing, and from these scholars have inferred that he suffered considerable financial embarrass-

ment in his later years. But, as has been pointed out, the declining wool trade had caused trouble for many a prosperous tradesman, and some of John's later suits indicate that he was having difficulty in collecting the money due him. It is not known how much property he left at his death. His will has never been found. Such an instrument, if ever made, would throw light on John's holdings in his later years.

¹⁷ Sir Richard Phillips (1767-1840), in *The Monthly Magazine; or British Register* (XLV, 1), said: "The landlord of the Swan and Maidenhead . . . assured the writer, that, when he relaid the floors of the parlour, the remains of wool, and the refuse of wool-combing, were found under the old flooring, imbedded with the earth of the foundation . . ."

In spite of the case against John Shakespeare, certain observations and interpretations should be made in his favor.

It is true that he did not rebuild the west end of his Henley Street property after the fire of 1594 and that he sold a "toft" of ground from this same property to George Badger in 1596. But this is not necessarily an indication of poverty. He certainly had not occupied all of the premises prior to the fire, and he may not have needed as much room after 1594 as he did previously. Probably his son William was living in London and the purchase of a permanent home for William's family may have been in prospect.

In 1596, having had a pattern thereof some twenty years before, he was awarded a coat of arms. In a footnote to the draft is the addition that he had lands and goods worth "500^{li}." Even if this was unintelligent exaggeration, the note suggests that he was not without resources, for grants of arms were not commonly awarded to persons who could not maintain the honor with a degree of propriety. Furthermore, the 1599 draft for the impalement of the Arden arms on the Shakespeare arms is another indication that John Shakespeare's family was not in too straitened circumstances.

The purchases which William Shakespeare made are interesting in the light of the inferred financial situation of his father. If his family was too pressed financially, it is not very probable that the young man would have been able to purchase New Place in 1597, although it is true that his earnings in the theater had probably been considerable by that date and he may have received a gift from the Earl of Southampton. After John's death in 1601, in rapid succession he purchased in 1602 the 107 acres of arable land from the Combes for £320 and the Getley copyhold property across the street south from New Place. One of the strongest and most impelling motives in the life of the Shakespeare family had been to establish the family in the male line of the landed gentry, and perhaps some of the activities of John in bringing suit to collect debts and in

selling certain of his wife's property and interests were for the purpose of accumulating funds with which the family might acquire larger holdings of land.

Thus the evidence, taken as a whole, indicates that the poet's father died (see chapter lviii, below) in possession of more than common financial holdings. In any case, John Shakespeare had advanced from the social position of tenant farmer in his youth to the rank of yeoman and then to the rank of gentleman! A degree of financial competence was prerequisite to this achievement.

E. One cannot approach the recusancy of John Shakespeare, a topic which necessarily involves his religious faith, without at once being confronted with ardent bias on each side of the question. No subject lends itself more readily to partisanship than does religion. Halliwell-Phillipps (*Outlines*, I, 37), speaking of John Shakespeare's relation to the religious controversy of that day, asserted: "Under the circumstances there can be little if any doubt that, at the time of his accession to an office that legally involved the responsibility of taking the oath of supremacy, he had outwardly conformed to the Protestant rule, and there is certainly as little that he was one of the many of those holding a similar position in the Catholic stronghold of Warwickshire who were secretly attached to the old religion." And (p. 246) he added: "But there is no doubt that John Shakespeare nourished all the while a latent attachment to the old religion . . ." J. Pym Yeatman's zealous pro-Catholic sympathies in his discussion (*The Gentle Shakespeare*) of the Shakespeare family are too well known to scholars to warrant interpretative comment here. Sir E. K. Chambers (*William Shakespeare*, I, 15) holds: "The theories differ, however, as to whether he was a Catholic or a nonconforming Puritan, and I do not think that there is much to support either contention." In speaking of the John Jordan MS of John Shakespeare's "Spiritual Last Will and Testament," a document most ardently Catholic, Chambers declares: "I do not think that this is a forgery" and holds that, if

the document be John Shakespeare's, it must have been written in his younger days. Others, because the Fulman-Davies MS (ca. 1708) says "He [William Shakespeare] dyed a papist," opine that the Shakespeares, if they ever left the Faith, definitely returned to the fold of the Mother Church. Still others hold that because John Shakespeare married Mary Arden—the Arden family seemingly had but a single Protestant member, Simon Arden, in all its previous history—he, likewise, was of the Old Faith and always remained loyal to it.

Some scholars are equally certain that John Shakespeare was a Protestant—even a militant Puritan. The first to advocate this strongly was the Rev. Thomas Carter. His *Shakespeare Puritan and Recusant* (1897) has the defect of presenting evidence on one side of the case only and the still further defect of not presenting all the evidence.

The most recent scholar to champion John Shakespeare's Puritanism and his consequent recusancy is the Rev. Edgar I. Fripp (*Shakespeare Studies*, pp. 81-98, and his Introductions to Volume I of Savage and Fripp's *Minutes and Accounts of the Corporation of Stratford-upon-Avon*). Fripp's own ardent pro-Anglicanism may, to some investigators, appear to influence his conclusions. In discussing John Shakespeare's coat of arms and his discontinuing his attendance at the Council, Fripp asserts (*Studies*, pp. 88-91):

But a strange thing happened. At the eleventh hour, when the honour was practically his, Alderman Shakespeare declined it. He proceeded no further in it. Simultaneously, moreover, he retired from the Corporation and the magistrate's bench. On and after Account Day, 23 January 1577, he withdrew decisively and determinedly from municipal life. After an unrivaled regularity (he was only once absent in thirteen years), he failed to appear on the date mentioned, and save on one occasion, he never appeared again . . .

Why this *volte-face*? . . .

John Shakespeare, among others prepared to meet the worst . . .

Alderman Shakespeare had curled up like a hedgehog at the approach of the dog. He refused to pay his levies for ex-

tra "pikemen" and "gunmen." He was assessed at 3s. 4d. in January 1578. In March 1579, with nine others, he was presented for non-payment.

Thus in the light of Fripp's interpretative comments, John Shakespeare was an obstinate and militant nonconforming Puritan, whose ardor in due time got him into serious trouble.

The two views are irreconcilable. As in the case of John Shakespeare's municipal life and in that of his business activities, the documents in the case must be presented. But first a brief résumé of religious history and the religious controversy in western and northern Europe up to the time of Elizabeth's reign must be presented.

The following general observations are significant: (1) The promoters of Christianity emphasized the great physical and spiritual brotherhood of human beings and the prospect that through faith in Christ an individual might enjoy exalted brotherhood in a future life. (2) When the state of Rome accepted Christianity as a faith, it Romanized that faith by organizing it, after the fashion and in the spirit of the Roman government itself, into an institution; and this institutionalism came to be emphasized, in some instances, more than the great spiritual brotherhood of men. (3) When the early Anglo-Saxon accepted Christianity, he, as did the Roman, accepted it in terms of his own racial experience: to him Christ was a great earl, a great leader, a great king, whose chief concern was the welfare of his followers. Typical early Christian Anglo-Saxon descriptions, in Anglo-Saxon poetry and in prose, conceive of Christ as a valiant and noble warrior and an exalted champion and protector of the people, not as a "meek and lowly Nazarene" preaching a gospel of universal brotherhood and salvation. (4) The keynote of government (see Tacitus' *Germania* for an excellent interpretative comment) of the Anglo-Saxon tribes was that of the earl and of the *comitatus* which had, of its own volition, selected and set up that earl as its leader. Once having set up that leader by their own choosing, it was their duty to follow his leadership devotedly

and loyally. Fundamentally the Anglo-Saxon spirit and temperament was opposed to any authority in the setting-up of which they had themselves played no part. Free and democratic institutions as against autocratically imposed monarchy were to them basic in anything that had to do with their liberties and their basic conduct. (5) It was foredoomed that, later, between these two conceptions—the Romanized Church and its institutionalism versus the Anglo-Saxon custom of free institutions and of hostility to authority in the setting-up of which they had had no voice—there would be conflict. There came to be protest, and then revolt and "protestantism." (6) Abuses within the Church—William Langland's *Piers Plowman* is an excellent example of protest against them—were condemned by Romanist as well as by Anglican. Yet these abuses served to intensify the fundamental Anglo-Saxon mood of hostility to what Anglo-Saxons considered superimposed authority, even though they had accepted the Roman Christian religious faith. (7) Henry VIII and the setting-up of the Anglican's own church were but the final expression of the Anglo-Saxon social-racial mood, Henry VIII was himself but an incident in the movement as a whole. (8) This protest, this revolt, was not limited to England; similar revolt obtained in pretty much all northern and western Europe—among the French Protestants, the Huguenots, on the Continent, for example. The work of Calvin, Knox, Luther, etc., completed the protest in terms of the Protestant Reformation.

In England, Warwickshire was a center of Protestant agitation—Protestant, then Presbyterian, then Puritan. Emanuel College in Cambridge and Christ's Church College in Oxford were centers of protest in educational and religious circles. As early as 1537, Edward Large, Squire William Lucy's beloved parson, at a wedding on Easter morning at Hampton Lucy, preached the "New Learning" and Protestantism. The Bishop of Worcester made a hasty descent to Stratford, and Edward Large—by a jury without oath or witnesses

—was sent to prison. Other martyrs to the cause were sons of Warwickshire: John Rogers was burned at the stake at Smithfield on February 4, 1555, amid the cheers of a supporting populace and the anguished exhortation of his children. And Laurence Saunders was burned to death at Coventry on the following February 8 in Little Park at Coventry, a Protestant hotbed. John Hooper was the third to suffer martyrdom, the next day, February 9, before his own cathedral door at Gloucester. And Hugh Latimer, who had defended Edward Large in 1537, in the same year, 1555, himself suffered death at Oxford. Coventry, Gloucester, Leicester, Northampton, Banbury, Oxford, and other towns, all not far from Stratford-on-Avon, witnessed horrors second only to those at Smithfield just outside of London. Bonds of friendship were severed, families were at each other's throats, and fear reigned widely.

When English Protestantism and Roman Church grappled, few persons felt secure, even in municipal life. On September 29, 1557, the Stratford Corporation (see Savage and Fripp, *Minutes and Accounts*, I, 62-69) drew up a special "Book of Orders" reaffirming attendance and officeholding to be compulsory and providing heavier fines for refusal to serve. If an Alderman declined, the fine was £5 (about \$200); if a Bailiff £10 (\$400)—large sums for those days. Robert Perrott, a devoted Catholic, had declined to be Bailiff in 1567-68 and in 1568-69. John Shakespeare as Bailiff in 1568-69 proceeded to collect the fine. Fine was added to fine until the Council entry for September 9, 1569 reads: "At this Hall the sayd m^r Robert Perret wylfully made default and forfectyd the sayd payen of xxⁱ [£800]." Each party to the controversy was militantly determined.

On a wave of loyal and devoted Anglican Protestantism, Queen Elizabeth was placed on the throne of England at the death of Mary. During her brief reign (1553-58) with Philip, Mary had openly proceeded, through Bonner, to re-establish Roman Catholicism in the realm. Henry VIII in his will be-

queathed his crown to his successor—not to the one whom the papacy should set on the throne. Moreover, in his will, it is clear that Henry VIII considered himself still a devoted and loyal Catholic—an English Catholic but not a Roman Catholic. The new Church was still God's church and a Christian church, but an English church, set up by the English people and not arbitrarily imposed from abroad. For the nonce at least—right or wrong is not the question—the ancient racial Anglo-Saxon spirit of free institutions had triumphed over the institutionalism of the Romanist. Yet Anglican and Romanist were not to rest on any such terms. Both sides girded themselves for a coming day of reckoning and prepared for the worst. Even the defeat of the Spanish Armada in 1588 did not settle the score. Protestant England, and Protestant Warwickshire in particular, made the most of Protestant Elizabeth's accession to the throne.

In Stratford-upon-Avon, Master Roger Edgeworth, the Catholic Steward of the town and also Steward of Warwick, found the borough unmanageable, whereupon the Corporation appointed Protestant Master William Court, alias Smith, February 20, 1559, to succeed him. It was in this trying period, on September 30, 1558, that John Shakespeare was appointed one of the Constables. If John Shakespeare was Catholic by persuasion, he was not sufficiently strongly so to provoke the opposition of the Court Leet which appointed him. The next move of the Corporation was to dismiss the Catholic vicar, Roger Dyos (appointed by Queen Mary on November 3, 1553, he was the last Catholic to be vicar), of the Parish Church and to elect Protestant John Bretchgirdle (a Christ's Church, Oxford, M.A.) in his place. The ready and easy method of controlling Dyos had been that of refusing to pay his salary. On Dyos' entering upon his duties a half-year's salary had been due and it had never been paid. A further full year's salary had not been paid. Dyos now appealed to influential Catholics. Sir Robert Throckmorton and Sir Edward Greville, in a letter of October 14,

1559, remonstrated with the Stratford Council. The Wheeler manuscripts, in the Birthplace Museum, contain their letter. It reads:

After our hartey maner we commende vs vnto yow & wheare we vnderstande yt ther is stay made of y^e vycars wages wyche was dew at mycallmas laste vpon what consyderaeyon we know not and whether he mynde to kepe hys benyfyces or to leyve yt for eny Respect, yt ys no reson yt yow schuld kepe yt from hym wyche he hath servyd for nor y^e lawe wyll not permyt yow so to do: wherefore we schall hothie desyre yow to se hym payde hys dewtie, for other ways we schall not thynke so well of yow as we haue donne. So fare yow well from coughton y^e xiiijth of octobre, 1559. yowr fryndys

ROBERT THROCKMORTON
EDWARD GREVILLE.

Added below in another hand is this:

Mr Vycar sayeth they owed hym for half a yere at hys entre and one yere they owed hym at hys departure, vpon agrement cald for bondes to saue hym harmelesse of the xv & xths & all other dewtyes.

Dyos asked for his back salary of £30, but they paid him only £16 2s. 6d. Seventeen years later, he recovered, by suit, the remaining £13 17s. 6d. William Brodgen, Dyos' curate, died in 1559. The Parish Register entry is significant: "[1559] January 31 William Brodgen preest"—the last "preest" so to be entered. Thereafter the term employed was the Puritan "minister." The local Gild Chapel, no longer under the Bishop's jurisdiction but under the control of the local borough,¹⁸ was kept intact for a period, no doubt because of the influence of Squire William Clopton, whose ancestor had founded it, and of William Bott, who once owned New Place, both strong Catholics. Squire Clopton died in 1560. Not until 1563-1565 was the Chapel altar dismantled and its images defaced.

1. Council Book A (pp. 1-3) contains

¹⁸ This Gild was suppressed in 1547 but, at the request of the citizens of Stratford, reconstituted as a civil corporation by Edward VI, 1553, according to Sidney Lee (*Stratford-on-Avon from the Earliest Times to the Death of William Shakespeare*, 1890, pp. 92 and 95).

the Account for 1563-64 of John Shakespeare, who was Acting Chamberlain and who for that year actually conducted the borough's financial activities. It was under his direction—whether by official order of the Council or by his own personal initiative there is no documentary evidence to show—that the images in the Gild Chapel were defaced. The entry is brief and terse:

"Item payd for defasyng ymages in y^e chappell ij^s"

Dugdale (*Antiquities of Warwickshire*, 1656, p. 103) nearly a century later saw evidence of the "defasyng": "The most ancient pictures were in the chancel, and many parts of them, particularly the crosses, had been evidently mutilated with a sharp instrument by the ill-directed zeal of our early reformers. . . . The lower compartment was one of those intentionally mutilated, a cross, an altar and a crucifix." Not only were images and crosses cut and hacked with some sharp instrument like an ax, but the walls were coated with plain whitewash. The religious frescoes thus covered up were rediscovered in 1804, when the old whitewash was removed, and were found to be in good condition.

2. Council Book A (pp. 375-79) contains the Chamberlains' Account for 1564-65, made by John Shakespeare, though William Tyler and William Smith were the Chamberlains. That the defacing and demolishing of the Catholic materials in the Gild Chapel was continued is evident from some of the entries:

"Item payd for takynge doune y^e rood loft in y^e Chapell ij^s"

"Item payd to peter Start for Workynge in the chapell makinge y^e Seattes vj^s"

Again, John Shakespeare—whether by official direction of the Council or by his own volition no documentary evidence remains to indicate—apparently was active in anti-Catholic activities. While he made out the annual report of the Chamberlains Tyler and Smith, he may not have been actually in charge of the work of the year. And yet he was directly associated with men who did take part

in anti-Catholic activities. Indeed, John Shakespeare's long municipal service suggests that he did not do it on compulsion. His having had to do with the ruthless destruction during two successive years suggests that he was not wholly averse to the anti-Romanist movement; but that he was militantly Puritan in his opposition is not a certainty. During the same year, 1563-64, that he countenanced the "defasyng ymages in y^e chapell," he was also very active in repairing the house of the new Protestant vicar, John Bretchgirdle.

The reformation of the Chapel was made complete: The Catholic altar was removed, the rood loft was pulled down, the images were hacked and denuded, the frescoes were coated with whitewash, a communion table was provided, seats for the worshipers were installed, and a partition was set up to separate the chancel from the nave. Later, in the time of the vicar Thomas Wilson, John Hall's friend, this space actually became a retreat for the vicar's children, a drying-ground for the laundress, and a place for the vicar's fowls and pigs. Now, to an orthodox Catholic this would have been desecration or sacrilege. This and John Shakespeare's countenancing players in Stratford in 1568-69 during his term as High Bailiff do not suggest extreme Puritanism. His general conduct does not seem that of a fanatic. Yet the Corporation which was so strongly Protestant must have looked upon John with favor, for not until after ten years of protracted absence on his part did it release him from membership in the Corporation.

In the meantime, in the realm at large, religious and political matters had become more and more strained. The shrewd Mary Queen of Scots, a devout Catholic, had permitted the Earls of Northumberland and Westmoreland to take active steps to depose Elizabeth and to place Mary herself on the throne of England. The threat of a Catholic uprising out of the north grew serious. On June 19, 1566, Mary Queen of Scots bore a son to Lord Darnley, whom she had married in July of the previous year. That son became James VI of Scotland

and subsequently James I of England. Elizabeth was unmarried, had no son, and consequently, gave no promise of a direct successor to the English throne. Mary's son was christened "after the popish fashion." Then Earl Bothwell, Mary's secret paramour, murdered Lord Darnley on February 10, 1567. The English Protestants were horrified. In June following, Bothwell's forces were dispersed and Mary was taken prisoner. She abdicated on June 20, 1567, in favor of James VI, who was set, under a Regent, on the throne of Scotland. Knox preached the coronation sermon, and the ceremony of the coronation was Protestant. After escaping and rallying 6,000 loyal Catholic followers, Mary was defeated on May 13, 1568, at Langside. Her subsequent reliance on the mercy of Elizabeth and her death are well known.

In 1570 the great and powerful Catholic Church struck back at England with might and main. A papal bull, prepared by Pius IV and put into execution by Pius V, excommunicated Elizabeth and all her Protestant heretical followers. A passage (translated from the Latin original, of which very few copies are known to remain) reveals the fundamental difference between the English idea of free institutions and the institutional one of the Romanist: ". . . she [Elizabeth] could not succeed, being a bastard, and that the Crown of England being a fief of the Popedom, she had been guilty of great presumption in assuming it without his consent. . . . We do out of the fulness of our apostolic power, declare the aforesaid Elizabeth, being heretic and a favourer of heretics, and her adherents in the matters aforesaid to have incurred the sentence of anathema and to be cut off from the unity of the Body of Christ."

This was the very crux of the early English religious revolt against the Romanist Church as the Saxon had come to conceive of it. The Anglo-Saxon, always a fighter, was not to be outdone. Immediately a Parliamentary Act made it high treason "to declare the Queen to be Heretic, Schismatick, Tyrant, Infidel and Usurper, to publish or put in use

the Pope's bulls, to be reconciled to the Church of Rome, or to conceive absolution by virtue of them." English loyalty to their sovereign was put to the test and, as in the later instance of the Armada of 1588, it did not fail. Englishmen everywhere voiced their Protestant protest. By their own wish, Elizabeth was their Queen, and they would brook no interference from Romanist sources. It was declared "That Queen Elizabeth my sovereign lady, now reigning in England, is rightfully and ought to be and continue Queen, and lawfully beareth the Imperial Crown, notwithstanding any act or sentence that any Pope or Bishop has done or given or can do or give, and that if any Pope or other say or judge to the contrary, whether he say it as Pope, or howsoever, he erreth and affirmeth, holdeth and teacheth error." Instead of disintegrating the English folk and destroying their national loyalty and national unity, the papal bull of excommunication of 1570 served just the opposite purpose. It was not for any power outside their own to superimpose any authority whatsoever—whether in state or in religion. More than ever before, Elizabeth was Queen of the English people. And now sincere, devout, and loyal English Catholics were truly between the upper and the nether millstone: loyalty to the Queen meant excommunication from the Church of their faith; loyalty to the Romanist Church meant persecution at home.

And very promptly the work of dismantling and desecrating things Catholic was renewed with ruthless rigor. The Corporation was again active.

3. Council Book A (p. 148) contains the minutes for October 10, 1571, which record the Corporation's directing the new High Bailiff, Master Adrian Quiney, to sell the religious vestments of the Gild Chapel. John Shakespeare was himself Chief Alderman, first assistant and chief support of the High Bailiff. The entry is in the handwriting of Henry Rogers, the Town Clerk. Now the Corporation membership in 1570 was largely Protestant, though there were some Catholic members. But since

attendance at meetings was compulsory, since the proceedings were always secret, and since the debates on a topic were never recorded in the minutes of the proceedings, one cannot reconstruct the

It is to be noted that in the very last entry some word is omitted after "and iij [?] for the handes." The word omitted was doubtless "manuaries," the passage meaning "for the handlers of

(787) knows that thereafter, and even today, the basis of every Catholic foundation—altar, chapel, monastery, college, hospital, convent, orphanage, etc.—is a sacred relic of some revered Saint. The Protestant Anglo-Saxon mind came to have small regard for the sacred things of the orthodox Romanist. Those "relics of the Amorites," as Fripp recounts, were evidently sold "to the use of the chamber," that is, the Corporation of Stratford-upon-Avon. Fripp remarks that these religious cloths or vestments made good bed-coverings.

Queen Elizabeth, with a secret daring that today is amazing, began to play a two-handed game of handling the Catholic situation abroad and the Protestant (now more and more Puritan) situation at home. Without the remotest intention of marrying him, she subtly encouraged the suit of the Duc d'Alençon. La Mothe-Fénelon, the French Ambassador, was zestfully angling for advantage for the Duc. Indeed the Duc for a time was at Greenwich near London in order to be available if the opportune moment should come. All this, of course, placated the Catholics on the Continent; but it aroused the militant Protestant at home. Warwickshire once more manifested its strong Protestantism, and the Earl of Leicester volunteered to advise Elizabeth against such an undesirable marriage. But in 1572 Elizabeth, in order to override growing Puritan opposition there, boldly made a progress to Warwick and to Kenilworth. At Warwick, on August 11, La Mothe-Fénelon awaited her answer as she entered and heard her opine that her age and the differences of religion might be obstacles. Yet the Earls of Leicester and of Warwick, both strong Protestants, were never again so much in the Queen's favor. *Gorboduc* (1561) had been written to demonstrate, for Elizabeth's own benefit it is thought, what happened to a people when the ruling sovereign left no successor to the crown. The loyal Stubbs, for his *The Discoverie of a Gaping Gulf Whereinto England is Like to be Swallowed* (1579), had a hand lopped off. And as an affront to Leicester and Warwick and an intended check

[DOCUMENT 25]

[STRATFORD COUNCIL LIST OF FINES IMPOSED FOR
NONATTENDANCE, 1571]

Stratford } Ad primam aulam Adriani queny ballivi burgi
burgus } *scilicet* praedicti ac Johannis shakespeare capitalis aldermanni eiusdem burgi ibidem tentam decimo die octobris Anno Regni Regine elizabethe tertio decimo

Nomina aldermannorum:

Adrianus queny
Johannes shakespeare
. ab . Willelmus smithe
. ab . Radulphus Cawdre
. ab . Georgius waytlic
Rogerus sadler
Ricardus hill
Ludouicus vpwilliams
Johannes weeler
Humfridus plumley
Willelmus Tyler
. ab . Robertus salisburie
. ab . Johannes sadler
Thomas barber

Nomina capitalium burgensium:

Robertus bratt
Willelmus smithe
Johannes Tayler
Thomas Dyxon
. ab . Willelmus brace
Nicholaus barnehurst
Thomas Richardsons
. ab . Georgius Gylbert
petrus smart
pd Thomas brogden
Johannes bell

Mem. yt ys agreed at this hall by the balie aldermen and capitall burgeses herein assembled that Mr. Adrian Queny now balie of the borowgh aboue seid shuld sell the copes and vesmentes here vnder wrytten to the vse of the chamber of the seid borowghe and therof to yeld accompte of all suche money as he shall receue for the same to the seid chamber beinge lawfullie warned thervnto

In primis one sute of blew velfytt vestmentes beinge thre in number
Item one sute of red velfytt thre in number
Item one sute of whyt damaske thre in number
Item ij Coopes of tauny velfytt
Item one Cope of whyt dammaske
Item one Cope of blewe velfytt
Item iij stoles and iij for the handes

discussion. The "ab" and the "pd" placed to the left of some names indicate "absente" and "paid" (the fine for nonattendance). Document 25 contains the entries.

relics." Hugh Latimer, in his now famous sermon of 1536, made clear that "manuaries" were for the hands of the handlers of relics. Anyone familiar with the acts of the Council of Nicea

to menacing Puritanism in Warwickshire, Elizabeth appointed in 1577 her martinet in discipline, John Whitgift, Bishop of Worcester. In 1577 Elizabeth sequestered Archbishop Grindal for his refusal to suppress Puritan "prophesyings."

The same year Bishop Whitgift made a visit to his diocese to catch recusants. At Stratford he received the customary gift of wine but the name of not a single recusant. From Greenwich, on May 7, 1577, Elizabeth wrote to Whitgift: "Be vigilant lest we be forced to make some example of reforming you according to your deserts." To the French ambassador in 1579, Elizabeth stated (John Strype, *Annals of the Reformation in England*, 1709, II, 568) with characteristic Tudor vigor that "she would maintain the religion she was crowned in and baptized in; and would suppress the papistical religion, that it should not grow; but that she would root out Puritanism and the favourers thereof." The Lansdowne MSS (pp. 153, 232) declare: "The Recusants convey all their lands and goods to friends of theirs before convictions and are relieved by those that have the same lands."

The Rev. Edgar I. Fripp (*Shakespeare Studies*, p. 91) asserts that at this point "Alderman Shakespeare had curled up like a hedgehog at the approach of the dog." And both Fripp and Carter hold that John Shakespeare secretly disposed of his goods and property, conditionally, in order to obviate seizure by the authorities in case he was presented for recusancy. Fripp holds that John Shakespeare was "a marked man." Still no known document has yet come to light which specifically connects John Shakespeare's name with the militant Puritans of Warwickshire. At this period John Shakespeare did dispose of land and interests, but by direct sale rather than conditionally. Actual evidence is still wanting that John Shakespeare was a militant Puritan and that he secretly transferred his interests and holdings conditionally to others.

4. Coram Rege Roll (see also the Exchange Accounts), Anglia 20^b-20^a,

Trinity Term, 22 Elizabeth, 1580, is a list of some 220 names of persons throughout the realm who were fined. John Shakespeare's name was in the list: he was fined £20 (about \$800) for nonappearance when summoned on

given with its English translation. The transcript here presented as Document 26 has the abbreviated Latin words spelled out in full and is punctuated for modern readers.

Just what occasioned John Shake-

[DOCUMENT 26]

[COURT OF QUEEN'S BENCH RECORD OF JOHN SHAKESPEARE'S
BEING FINED FOR NONAPPEARANCE, 1580]

De Iohanne Shakespeare de Stratforde super Avon in Comitatu Warwicensi, yoman, pro eo quod ipse non comparuit coram domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem pacis domine Regine erga ipsam dominam Reginam et cunctum populum suum prout sub recognicione super se Assumpsit

De Iohanne Audeley de Villa Nottingham in Comitatu Ville Nottingham, hat-maker, uno duorum plegiorum predicti Iohannis Shakespeare pro eo quod ipse cundem Iohannem non habuit coram domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem pacis domine Regine erga ipsam dominam Reginam et cunctum populum suum prout sub recognicione super se assumpsit

De Thoma Cooley de Stoke in Comitatu Stafford, yoman, altero duorum plegiorum predicti Iohannis Shakespeare in hac parte pro consimili De Iohanne Audeley de Villa Nottingham in Comitatu eiusdem ville, hat-maker, pro eo quod ipse non comparuit coram domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem de se bene gerendo erga ipsam dominam Reginam et cunctum populum suum iuxta formam statuti in huius modi casu editi et provisi prout sub recognicione super se assumpsit

De Iohanne Shakespeare de Stratforde super Avon in Comitatu Warwicensi, yoman, uno duorum plegiorum predicti Iohannis Audeley pro eo quod ipse cundem Iohannem non habuit coram domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem de se bene gerendo erga ipsam dominam Reginam et cunctum populum iuxta formam statuti in huiusmodi casu editi et provisi prout sub recognicione super se Assumpsit

De Thoma Cooley de Stoke in Comitatu Stafford, yoman, altero duorum plegiorum predicti Iohannis Audeley in hac parte pro consimili

a certain day at the Court of Queen's Bench in Westminster. Moreover he was fined an additional £20 for not bringing John Audley, for whom he had gone surety, before the same Court. The list is in the Public Record Office. An excerpt containing the two entries for John Shakespeare is here

spare's failure to attend the Court in Westminster is not clear. Not all the documents in the case are known. The fact that the names derive from the Puritan strongholds of London, East Anglia, the Midlands, and the Welsh Marches suggest a nationwide dragnet against Puritans. But the Acts of Par-

liament and the records of the Privy Council throw no light on the matter. In no sense, however, was John Shakespeare singled out. He was fined £20 (a) for his own personal nonappearance at Court and also (b) £20 for not pro-

Shakespeare in Court as required by his surety for him. John's fines totaled £40 (\$1,600). The fact that this "Iohanne Shakespeare" of Stratford is identified as "yoman" precludes any idea that it was not the dramatist's

De Iohanne Audeley de Villa Nottingham in Comitatu Nottingham, hat-maker, pro eo quod ipse non comparuit coram Domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem pacis Domine Regine erga ipsam Dominam Reginam et cunctum populum suum prout sub recognicione super se assumpsit

De Nicholao Walton de parochia de Kidderminster in Comitatu Wigornie, yoman, uno duorum plegiorum predicti Iohannis pro eo quod ipse eundem Iohannem non habuit coram Domina Regina ad certum diem iam preteritum ad inveniendum sufficientem securitatem pacis domine Regine erga ipsam dominam Reginam et cunctum populum suum prout sub recognicione super se assumpsit

De Willelmo Lonley de parochia Emley in Comitatu Wigornie predicto, husbandman, altero duorum plegiorum predicti Iohannis in hac parte pro consimili

[The English translation of the legal Latin is as follows]:

Concerning John Shakespeare of Stratford-on-Avon in the county of Warwick, yeoman, for the reason that he himself did not appear in the presence of the Queen on a certain day now past to effect sufficient security of the peace during the reign of the Queen in relation to the Queen herself and all her people as he promised under his recognizance.

Concerning John Audley of the village of Nottingham in the county of Nottingham, hatmaker, one of the two pledges of said John Shakespeare for the reason that he himself did not have the same John in the presence of the Queen on a certain day now past to effect sufficient security of the peace in relation to the Queen and all her people as he promised under his own recognizance.

Concerning Thomas Cooley of Stoke in the county of Stafford, yeoman, another of the two pledges of the said John Shakespeare in this suit likewise.

[Concluded on p. 76]

ducing John Audley. John Audley, on the other hand, was fined £70 (about \$2,800) for not personally appearing in the Court as required, £10 (about \$400) of which was for not producing John Shakespeare, whose surety he was. Thomas Cooley was fined £30, £10 of which was for not producing John

father or that he was his namesake, the shoemaker of that town, as suggested by Stopes (*Shakespeare's Warwickshire Contemporaries*, p. 31). Until further documentary evidence is brought to light to clarify the nature of John's offense, there can be nothing but conjecture as to its nature.

Both international and national affairs developed hastily and ominously. According to the Romanists the Duc d'Alençon marriage was still a possibility. During all of 1579 the French representative, Simier, remained in England, still negotiating. But the gory massacre of French Protestants, the bloody St. Bartholomew's Day of August 22 and 23, 1572, only revived the horrified opposition to the burnings of an earlier day at Coventry, Worcester, and Smithfield. Nothing definite occurred for a few years, and then the Spanish Armada was on its way. And now, in keeping with traditional Anglo-Saxon loyalty in a crisis, Englishmen everywhere—Papist, Puritan, and Prelate—united in defense of sovereign and country. The defeat of the Spanish Armada in 1588 made history. And again John Shakespeare, as will be seen, was caught in the web of circumstances.

Puritanism now grew stronger and stronger. Elizabeth was equally determined to root it out. She looked upon Roman Catholicism as loyalty to the Pope who had excommunicated her and her people in 1570, upon Puritans as disloyalty to the realm, and, finally, upon nonconformity of any kind as disloyalty to herself. Warwickshire again came into the limelight. Job Throckmorton of Haseley became the head of the Martin Marprelate brotherhood. The Marprelate Tracts, first issued in 1588, were fostered and printed in Warwickshire. John Udall, who had been removed from office in 1586 for Puritanism and who was restored via the Countess of Warwick, was the author of some of the materials. For his pains he languished in Marshalsea Prison and died there. Peter Wentworth, the ardent Puritan leader in Oxfordshire, for his speeches in the Commons was sent to the Tower. In 1583 Bishop John Whitgift (he had been made Bishop of Worcester in 1577), the whiplash of Puritanism, was elevated by Elizabeth to be Archbishop of Canterbury. Whitgift had lamented to Lord Burleigh that two kinds of men delighted in molesting and troubling him, namely, "the Contentious Protestant [Puritan] and

the stubborn Papist" and that both had the backing of "great men," meaning the Earls of Leicester and of Warwick.

The persistent efforts of Elizabeth to bring about universal conformity in virtually all things continued. At the very outset of her reign she had revealed her underlying Tudor temper. Her Act of Uniformity of 1559¹⁰ had provided: "All who shall be found non-conformable in the smallest matter shall be immediately apprehended and cast into prison; all who shall forbear coming to the Common Prayer and receiving the Sacraments according to the said Book shall be immediately persecuted and punished; and all who shall in private houses or in public assemblies use any other rites of Common Prayer and administration of Sacraments, or shall maintain in their houses any persons guilty of these things, shall be punished with the greatest severity." Also the Act of Parliament, 23 Elizabeth (1580) c. 1, imposed severe fines for nonconformity: "All persons that do not come to church or chapel or other place where Common Prayer is said according to the Act of Conformity, shall forfeit £20 [about \$800] a month to the Queen, being thereof lawfully convict, and suffer imprisonment until paid. Those that are absent for twelve months shall upon certificate made thereof unto the King's Bench, besides their former fine, be bound with two sufficient sureties in a bond of £200 [\$8,000] for their good behaviour."

When, on September 23, 1583, Elizabeth had elevated Whitgift, Bishop of Worcester, to the Archbishopric of Canterbury, that persecutor of his diocese had become the tyrant of the nation. She exhorted him "to restore the discipline of the Church, and the Uniformity established by Law, which through the connivance of some Prelates, the obstinacy of the Puritans, and the power of some noblemen, is run out of square."

Lord High Treasurer Burleigh, Elizabeth's most trusted official, voiced his protest on July 15, 1584: "I favour no

sensual and wilful Recusant, but I conclude according to my simple judgment, that this kind of proceeding is too much favouring of the Romish Inquisition, and is a device rather to seek for offenders than to reform." But an Act of

coming to Church to hear Divine Services or receive the Communion according as the Law directs, or shall be present at any unlawful assembly, conventicle or meeting under colour or pretence of any exercise of religion, that every person so offending

Concerning John Audley of the village of Nottingham in the county of the same district, hatter, for the reason that he himself did not appear in the presence of the Queen on a certain day now past to effect sufficient security that he would act well in relation to the Queen herself and all the people according to form of statute in a case of this kind, made and provided as he promised under his own recognizance.

Concerning John Shakespeare of Stratford-on-Avon in the county of Warwick, yeoman, one of the two pledges for said John Audley, for the reason that he did not have the same John in the presence of the Queen on a certain day now past to effect sufficient security of his good behavior in relation to the Queen and all the people according to the statute in a case of this kind, made and provided as he promised under his own recognizance.

Concerning Thomas Cooley of Stoke in the county of Stafford, yeoman, another of two pledges of the aforesaid John Audley in this suit likewise.

Concerning John Audley of the village of Nottingham of County Nottingham, hatmaker, for the reason that he himself did not appear in the presence of the Queen on a certain day now past to effect sufficient security of peace during the reign of the Queen in relation to the Queen herself and all her people as he promised under his own recognizance.

Concerning Nicholas Walton of Kidderminster parish in Wigornie County, yeoman, one of the two pledges of the aforesaid John for the reason that he did not have the same John in the presence of the Queen on a certain day now past to effect sufficient security of the peace during the reign of the Queen in relation to the Queen and all her people as he promised under his own recognizance.

Concerning William Lonly of Emley parish in Wigornie County abovementioned, husbandman, the other of the two pledges of said John party in this suit likewise.

Parliament made the proscription still more inclusive and severe:

If any person above the age of 16 shall obstinately refuse to repair to some Church, Chapel, or usual place of Common Prayer to hear Divine Service, for the space of one month, without lawful cause, or shall dissuade any of her Majesty's subjects from

and lawfully convicted shall be committed to prison without bail till they shall conform and yield themselves to come to Church and make *written* declaration of their conformity.

But in case the offenders against the Statute being lawfully convict shall not submit and sign the declaration within three months, they shall adjure the realm

¹⁰ See Anthony Sparrow, *A Collection of Articles, Injunctions, Canons . . . of the Church of England*, 1661, pp. 169, 170.

and go into perpetual banishment. And if they do not depart within the time limited by the Quarter Sessions or Justices of Peace, or if they return at any time afterwards without the Queen's License, they shall suffer death without benefit of clergy.

These measures brought affairs to a head in 1591-92. Anti-nonconformity activities and anti-Puritan regulations had to give way, temporarily at least, in 1591 to a more serious concern. Rumors were rife concerning a secret though vigorous renewal of a Spanish attempt at invasion. England was once again obliged to gird her loins. Commissions, local and national, were now appointed, and proclamations were issued.²⁰ The very active Puritan legislation did not come until 1593. As Hume later declared: "Spain was formidable, Scotland was uncertain, Ireland was prepared for rebellion, and seminary priests were everywhere disseminating treason and disaffection throughout the Queen's dominions." To meet the emergency of national defense, the Grand Ecclesiastical Commission was appointed. There were forty-four members, twelve of whom were bishops, appointed by John Whitgift. The prime object of the High Commission was to determine who of the Queen's subjects could be relied upon—who among Protestants, Papists, Puritans, and Romanists in the realm were loyal. The earliest Parliamentary Acts were the basis of their survey, especially Act 23 Elizabeth c. 1. In Warwickshire, Sir Thomas Lucy, Sir Fulke Greville, Sir John Harrington of Combe, Sir Henry Goodyere, Sir Thomas Leigh, Robert Burgoyne, and three others—certainly these were not all rabid anti-Puritans but rather a representative group of public men—were appointed. Anyone not attending church—any Protestant, Papist, Presbyterian, Catho-

lic, Puritan, or Romanist—would be listed as recusant. What may have been contained in some preliminary report by Sir Thomas Lucy's commission is not known. But what the final official report to the Privy Council was is now documentary history.

5. Warwick Castle MS (Greville Papers) 2262, dated September 25, 1592, is the official report²¹ of Sir Thomas Lucy's commission on absentees from church in the Warwickshire territory. Selected excerpts in Document 27 provide a pertinent list of recusants and make the nature of the recusancy clear.

It is to be noted that this list is ostensibly inclusive of "all of sutch recusantes as have bene herebefore presented for not comminge monethlie to the churche accordinge to hir Majestys lawes"; that is, neither Puritans nor Catholics nor any other religious persuasion was singled out. The instructions to the Grand Ecclesiastical Commission were: "to enquire from time to time during our pleasure as well by oathes of twelve good and lawful men, as also by witnesses, and all other means and ways [opening the way to rack and torture] you can devise, of all offences, contempts, misdemeanours, done and committed contrary to the tenor of the several acts and Statutes, and also to enquire of all heretical opinions, seditious books, contempts, conspiracies, false rumors or talks, slanderous words or sayings contrary to the aforesaid laws." They were "Also to take order that the penalties and forfeitures may be levied upon the goods, lands, and tenements of such offenders, by way of distress."

There was nothing in the instructions directed against a particular religious sect. The general objective of the movement was to determine who was conforming and who was not conforming; who could be relied upon as loyal in the immediate national danger from a renewed Spanish invasion. The method employed in that day—even if rather foreign to present-day methods—was to check church attendance. Nonattendance was recusancy. From the phrasing

of the report it is clear that John Shakespeare along with many others had been listed in an earlier report as nonattendant at divine services as required by law.²²

It is noteworthy that the explanation in connection with John Shakespeare's name as not coming to church "for feare of processe for debtt" is prefaced by the phrase, "It is sayd that." Such an explanatory introduction is very rare. It suggests a degree of uncertainty as to the actual fact of the explanation given for nonattendance. It should be noted, too, that the "feare of processe for debtt" was applied to nine persons and not to John Shakespeare alone. Twice in 1592 this list of recusants was presented—at Easter and at Michaelmas, the conventional periods. At Easter for the Stratford parish, forty-one names were included. Of these some were "suspect"—John Shakespeare; John Wheeler and his son; Nicholas Barnhurst; Baynton and Bardolf, who were Adrian Quiney's stepsons; and three others. The manuscript reads: "We suspect these nine persons absent themselves for fear of process, etc." The Michaelmas presentment has thirty-four names unindicated and four indicated. The four indicated are "wilful" or "obstinate," or "suspected to be a Jesuit." Of the unindicated, one had "departed"; two were "dead" (Squire Clopton, a good Catholic, was one); four were unable "to come to the church for age and other infirmities"; seventeen (some stalwart Catholics in

²⁰ At Stratford is preserved a later (n.d.) list of recusants in which some of the present list—but no Shakespeare—reappear.

The recusantes and suche as wee find that doe not come to Churche.

Mrs. Jonne Barber, the wyffe of Mr. Thomas Barber.

Johnne Wheyllers wyffe in Henlie Streytte.
Ann Burmum, the wyffe of Richard Burmume.
Marie Cawdrye, the wyffe of Arthur Caudrye.
George Baidger, and Ailles his wyffe.
Margarett Bragge, and Ailles her daughter.
Sybele Caudrye wydow.
Marie Ellettes.

Larrance Abell for nott comminge to churche, and for workinge of hollidaies contrarie to the lawe.

Johnne Hancoc for workinge uppone Chrysmas daie and other hollidaies, and for not cominge to churche.

Henrie Browne for workinge of hollidaies.

Johnne Fyfield for shuttinge in a gunne.

We find theis faultie.

²¹ See also *State Papers, Domestic, Elizabeth*.

²² See Royal Proclamations in Humphrey Dyson, *A Booke Containing All Such Proclamations as Were Published during the Reigne of the Late Queen Elizabeth*, 1618, pp. 837, 839; John Roche Dascot, *Acts of the Privy Council* (32 vols., 1890-1907), XXII 138, 174, 181, 205, 211, 227, 245, 316, 324, 325, 336, 340, 342, 365, 369, 406, 427, 543, and XXIII, 163, 188, 191; John Stryce, *Annals*, IV (1824), 78; St. G. K. Hylland, *A Century of Persecution* (1920), pp. 196, 407.

the list) "have now all either conformed themselves and go to the church, or else have promised to conform themselves and go to the church."²³ "Fear of processe," as the document puts it, like "*nihil habet*" in the instance of a writ of distringas, was a thoroughly conventional phrase. It could not possibly apply to John Wheeler, for he was wealthy, nor to Nicholas Barnhurst, who was not poor. Adrian Quiney's stepson, William Baynton, and George Bardolf, who had married Quiney's stepdaughter Joyce, may have been out at the heels. But John Shakespeare still possessed the three houses in Henley Street and was not poverty-stricken.

As to John Shakespeare's religious persuasion, it is easy to be dogmatic and still far removed from the truth of the matter. He married Mary Arden, who came of excellent Catholic stock; and some of his children were baptized by the Catholic vicar, Roger Dyos. On the other hand, he obviously was friendly to John Bretchgirdle, the Protestant vicar who succeeded Dyos, who also baptized some of his children, including William. John Shakespeare, as acting Chamberlain, took steps to deface the Catholic images in the Gild Hall and also made the Chamberlains' report when the rood loft and other parts were torn down. For the most part his name and activities were associated with Protestants rather than with Catholics in Stratford. Always there was a comfortable Protestant majority in the Corporation. He suffered a severe fine in 1580 for some offense—whether religious or political is not clear—and in 1592 was listed, with thousands of others, as recusant (politically) in the nationwide endeavor to find out who was loyal and who was not.

All in all, it may be argued that the

[DOCUMENT 27]

[COMMISSION REPORT ON ABSENTEES FROM CHURCH
IN WARWICKSHIRE, 1592]

The seconde Certificat of the Commissioners for the Countie of Warwicke touching all such persons as either have bene presented to them, or have bene otherwise fownde out by the endevoire of the sayd Commissioners, to be Ihesuites, seminarye preestes, fugitives, or recusants within the sayd Countie of Warwick, or vehementlye suspected to be sutche, together with a true note of so manye of them as are alreadye indicted for thear obstinate and wilfull persisting in their recusancye; sett down at Warwicke the XXVth day of September in the 34th yere of her Majestys most happy raigne and sent upp to the lordshippes of her Majestys most honourable Privye Councell.

The names all of sutch recusantes as have bene hearetofore presented for not comminge monethlie to the churche accordinge to hir Majestys lawes, and yet are thoughte to forbear the church for debtt and for feare of processe, or for soom other worse faultes, or for age, sicknes, or impotencye of bodie.

.

*In the hundred of Barlichewaye in the parrishe of
Stratford upon Avon.*

It is sayd that these laste nine coom not to churche for feare of processe for debtt

Mr. John Wheeler
John Wheeler his soon
Mr. John Shackespere
Mr. Nicholas Barneshurste
Thomas James alias Gyles
William Bainton
Richard Harrington
William fluellen
George Bardolfe

Weare all here presented for recusantes and doo all so continewe saying Mris Wheeler who is conformed and Griffen ap Roberts now deade But the presenters say that all or the most of theese cannot coom to the church for age and other infirmities.

Mris. Geffreyes vid
Mris. Barber
Julian Coorte
Griffen ap Robertes
Joane Welche
Mris. Wheeler

²³ The following is the 1573 statement of promise (written and required to be signed) by a recusant to attend church: "And whereas I have absented myself from my parish Church and have refused to join with the congregation in publick prayer and in receiving the Sacrament according to the public order set down, I am right sorry for it and pray that this my fault may be pardoned, and I do promise that henceforth I shall frequent my parish Church. And to witness this my promise I do hereunto willingly subscribe my name"

documentary evidence does not indicate that John Shakespeare was "a Catholic in disguise" or that he "secretly adhered to the old religion." Nor do the documents confirm the statement that he was a militant, nonconforming Puritan.

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VII

THE FAMILY OF MARY ARDEN

THE NAME Arden appears to have been a very ancient local name used by the early Gauls and Britons. Its earliest spelling was commonly "Arderne," then "Ardern," and finally "Arden." In early times the form "Ardennes" also appears. It seems to have been a term applied to a wooded district or a remote wooded retreat seldom frequented. John Leland in his *Laboryoune Journey* (1549; edited with title *The Itinerary of John Leland*, by L. Toulmin Smith, II, 47; see chapter ix, below) asserted: "I lernyd [at Warwike] that the moste parte of the shire of Warwike, that lyeth as Avon river descendithe on the right hand or rype of it, is in Arden, (for soe is [the] auncient name of that parte of the shire); and the grownd in Arden is muche enclosyd [forest; not open plain], plentifull of gres, but no great plenty of corne."

"The other part of Warwyk-shire that lyethe on the lefte hond ripe of Avon river, muche to the southe, is for the moste parte champion, somewhat barren of wood, but very plentifull of corne."

Camden, in his *Britannia* (1600, p. 501) elaborated upon Leland's account, indulged an explanation of the early meaning of the word, and pointed out that Turchill was the first one to assume the name "Turchill de Arden": "Woodland trans Auonam ad Sepentriones expanditur spatio multo maiori, tota ne-

moribus insessa [*sic*], nec tamen sine pascuis, aruis, & varijs ferri venis. Hæc, vt hodie Woodland, id est, *regio syluestris*, ita etiam *Ardern* antiquiori nomine olim dicebatur, verum eadem planè, vt existino, significatione. *Ardern* enim priscis Britannis & Gallis syluam significasse videtur, cum in Gallia, syluam maximam ARDERN, oppidum in Flandria iuxta alteram syluam *Ardenburg*, & celebratam illam Angliæ syluam truncato vocabulo *Den* nominari videamus. Ex hac Turkillus de *Ardern* qui hîc flourit magno honore sub Henr. primo [A.D. 1100], nomen assumpsit, & propago eius admodum clara longè per Angliam succedentibus annis est diffusa."

Severn, in his 1839 edition (*Diary of the Rev^d J[ohn] W[ard]*, *Vicar of Stratford-upon-Avon, Extending from 1648 to 1679*, p. 47) of parts of Ward's Diary (the original manuscript is in the Folger Shakespeare Library) observed: "Arden signifies a woody place, and was so used by the Gauls and the Britains. The last of the Ardens, which was Robert, dyed at Oxford, unmarried, an. 1643." It is to be noted that Arden as a family name derived when Turchill, a descendant of the early Earls of Warwick, appropriated the name and styled himself "Turchill de Arden." This de Arden form persisted during fourteen or fifteen subsequent generations, after which the "de" was gradually dropped and the simple name Arden used. The

forest of Arden, or Ardennes, was the fairly large wooded district west and north of Stratford. Henley-in-Arden, northwest of Stratford, originally must have been considered as "Henley out in the wooded district." William Shakespeare used it as the atmosphere for his *As You Like It*.

A. At the outset in any critical examination of the Arden family one is impressed with the multitude of records available: whereas those of the immediate Shakespeare family are relatively scarce, those of the Arden family are almost profuse. Among the nobility and the gentry, records were quite regularly kept; among the middle class, few records were kept. As to the Arden family, the following general statements may be ventured. (1) It was an ancient and honorable family with a long history of position, activity, and recognition to its credit; Dugdale identified it as "that most ancient and worthy family." (2) Its greater days were in the past, so that by the time of Robert Arden (father of Mary Arden) the family was resting upon its laurels. During the War of the Roses the Arden holdings came to be very much depleted. This was in strong contrast to the growing ambition of the immediate middle-class Shakespeare family that, in a single generation, achieved yeomanry and also gentryhood. (3) The Ardens had been sheriffs, officers of the Crown, and knights. (4) They were landed gentry-folk. (5) The

blood of the Hampdens and of Mercian Earls as well as that of the Earls of Warwick flowed in the veins of Mary Arden. (6) On her father's side, her blood lineage may be traced direct to the Saxon Sheriff, Ailwin, whose ancestry is traced by expert genealogists to Rohand the Saxon, Earl of Warwick¹ in the time of Alfred the Great (†901); hence the very best of Anglo-Saxon blood flowed in the veins of the mother of William Shakespeare. (7) There appears to be little predominantly French blood in the Arden lineage.

From a re-examination of original sources and from the analyses of French, Stopes, Chambers, Yeatman, Hunter, and others, a lineage of Mary Arden is presented below. In the main, it has the support of French and Stopes, but not in all details, especially as to the sons and daughters of Walter Arden of Park Hall. The will (1526) of Walter's oldest son, Sir John Arden, reads: "Item, I will that my brothers Thomas, Martin, and Robert have their fees during their lives." Most critics are agreed that these were three sons, Sir John, Thomas, and Martin, but are not in accord as to the order of their births. Full use has been made of "visitations," deeds, wills, leases, conveyances, parish registers, epitaphs and monumental inscriptions, baronical pedigrees, and genealogical tables of all sorts. The work of Mrs. Charlotte C. Stopes on the Arden family is worthy of special commendation.

From this Arden genealogy, it is clear that, while Mary Arden is traced direct by blood descent through some twenty-six generations to Rohand the Saxon, Earl of Warwick in the time of Alfred the Great, her lineage is not here traced via Guy of Warwick and King Athelstan to Alfred the Great. Mrs. Stopes (*Shakespeare's Family*, 1901, p. 32) asserts: "If heraldry has anything, there-

fore, to say to this dispute, it is to support the claim of Thomas Arden to being a cadet [a younger son] of the Park Hall family, and thereby to include Mary Arden and her son in the descent from Ailwin, Guy of Warwick, and the Saxon King Athelstan." The conventional statement is reiterated, in modified form, by Adams (*Life of William Shakespeare*, 1923, p. 16): "For it is now virtually certain that through a younger branch [of the Arden family] he was descended, as the poet maintained, from the noble family of Ardens of Park Hall, who proudly traced their line back to the sheriff Ailwin, Great Guy of Warwick, the Saxon King Athelstan, and Alfred the Great." That the Ardens themselves made such claims of descent there is little extant evidence to support. That genealogists have sometimes made such claims for them is certain. The present editor is unable to make the definite genealogical connection—much as he would like to do so—of the Ardens via Guy of Warwick and King Athelstan to Alfred the Great. Noble Anglo-Saxon blood, that of the great Saxon Earls of Warwick, did flow in Arden veins; but the family descent from Alfred the Great is not certain enough to guarantee direct lineage via King Athelstan to Sheriff Ailwin and thence direct to Mary Arden. No genealogist and no scholar in Anglo-Saxon and English history is willing to maintain, in the absence of documentary proof, that such was the case.

Moreover, Mary Arden's descent, and hence William Shakespeare's, while direct so far as blood is concerned, was not always direct via the oldest son. In early genealogy, of course, the valued descent was via the oldest son! Right of primogeniture was a matter not to be overlooked (young Orlando protests against it to his elder brother, Oliver, in *As You Like It*). As to Mary Arden, there were four or five instances in which her descent was via a second son. That fact, of necessity, removes her far from the direct line of descent. This was especially true in the case of her own grandfather, Thomas Arden, who was probably the second son (Sir John Ar-

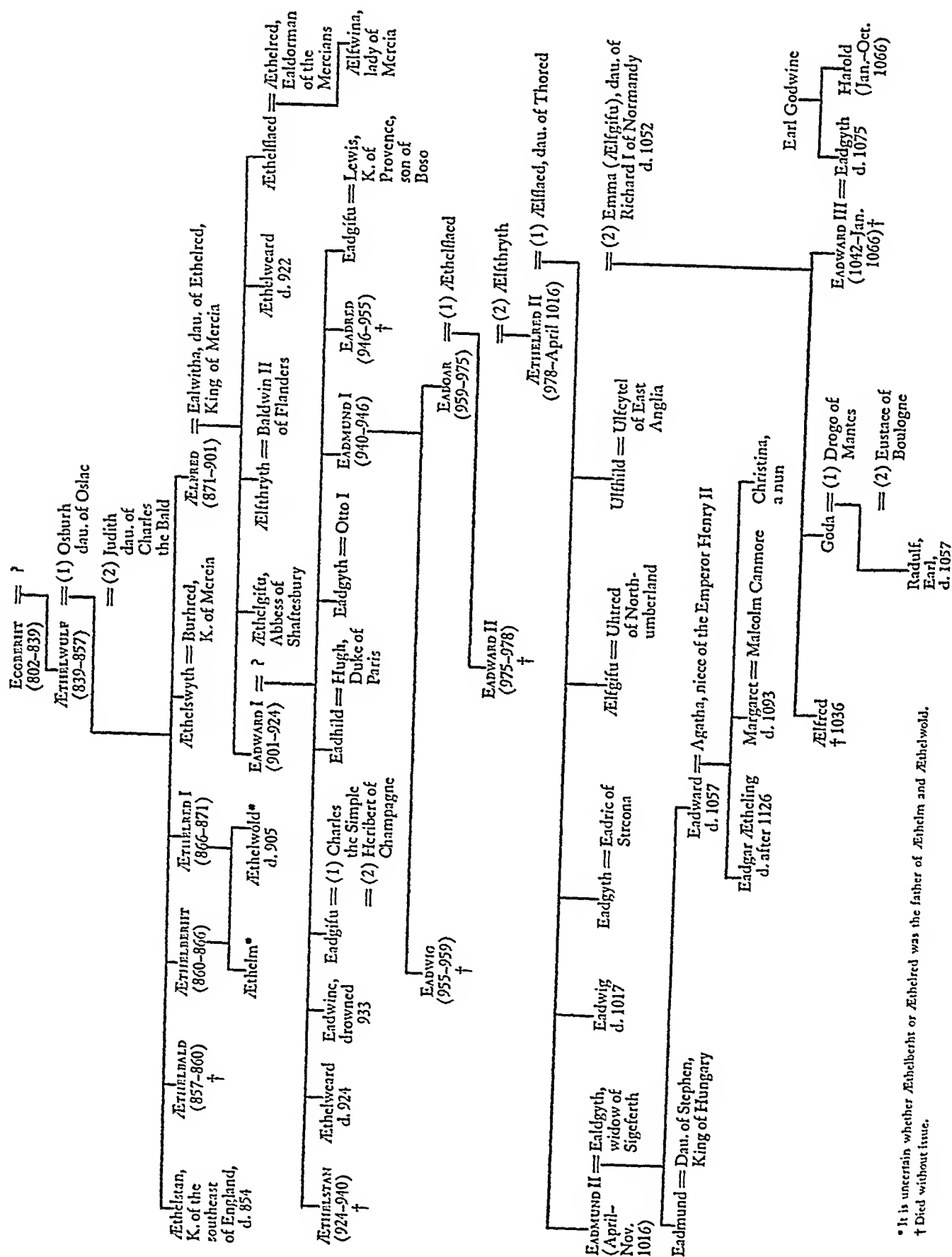
den was the oldest son, and he continued the direct line of the Park Hall Ardens) of Walter Arden of Park Hall. A second son also figured in the instances of Sir Henry de Arden (whose wife's name was Olivia) of the time of Henry II, of William de Arden (whose wife was Agnes), of Sir Thomas de Arden (who married Rose Vernon), and of Ralph de Arden (who married Alice de Beauchamp)—each of whom was in the line of descent to Mary Arden. The balance of documentary evidence further supports Thomas Arden's being the second and not the third son: (1) Sir John Arden's will (Somerset House, Porch 8) lists his younger brothers as Thomas, Martin, Robert, and Henry. (2) Dugdale's table (*Antiquities of Warwickshire*, 1656) lists Thomas as third son and Martin as second. (3) Harleian MS 1267 lists Thomas second and Martin third. (4) Walter Arden's will (given complete in French's *Shakespeareana Genealogica*, 1869, pp. 452-53) lists Thomas first and Martin second.

Mary Arden's descent may be further summarized thus: (1) From Rohand the Saxon, Earl of Warwick, it was seven generations to Sheriff Ailwin of Warwick and eight generations to Turchill de Arden, who was, apparently, the very first to employ the designation "de Arden." (2) From Turchill de Arden to Mary Arden, youngest of eight daughters of Robert Arden, gentleman, was eighteen generations—thus making William Shakespeare nineteen generations from Turchill de Arden, twenty from the Anglo-Saxon Sheriff Ailwin, and twenty-seven from the Anglo-Saxon Rohand, Earl of Warwick in the time of Alfred the Great. (3) The Ardens were pretty generally rather staunch Catholics.² With the coming of Protestantism and then Puritanism,

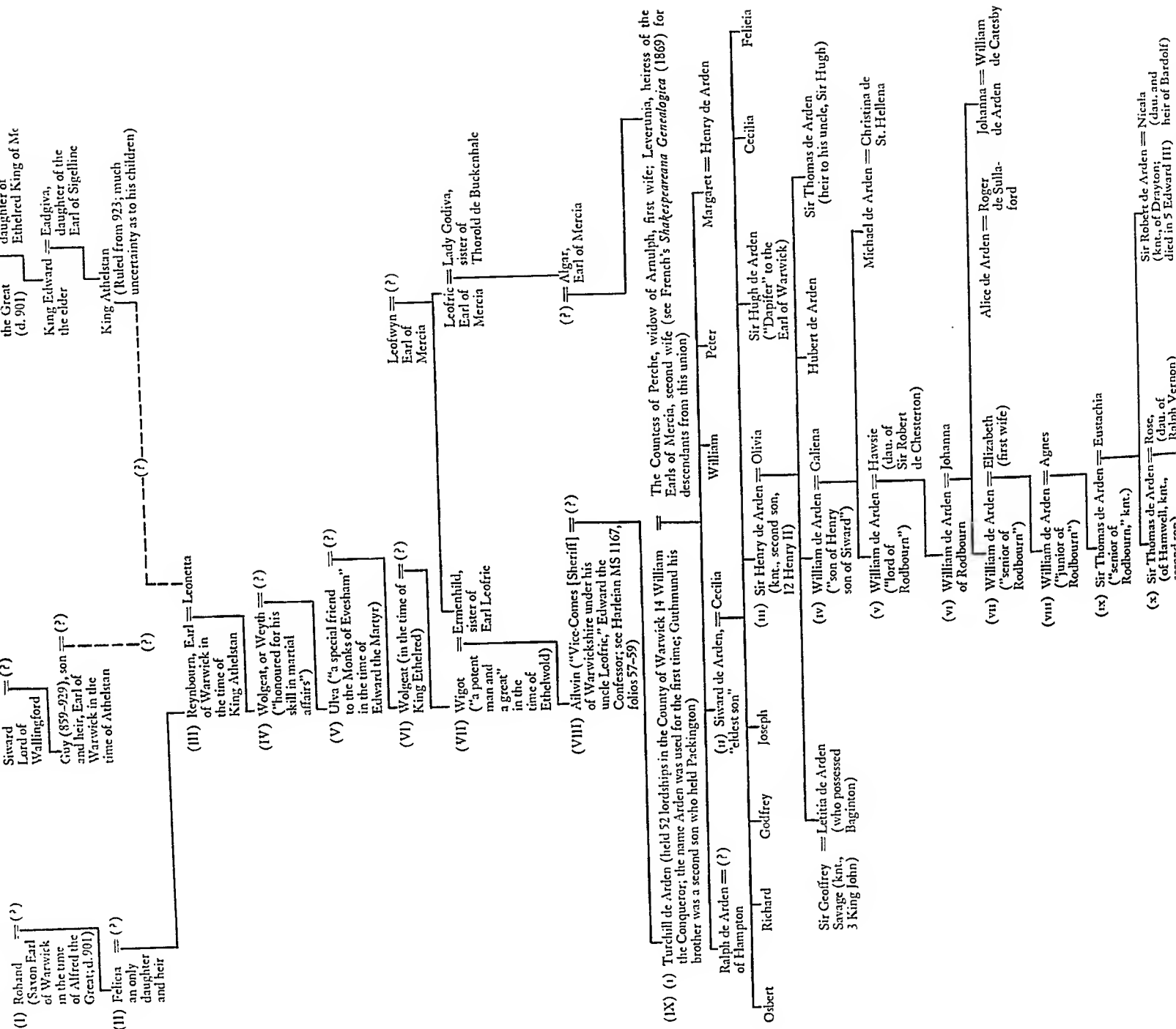
²The chief branch (oldest son) of the Arden family settled at Park Hall, in the Parish of Curdworth, Hemlingford Hundred, near Birmingham. It was headed by Robert Arden, great-great-grandfather of Mary Arden, who was Sheriff of Warwickshire and of Leicestershire in 1438 (16 Henry VI). This Sheriff, Robert Arden's direct descendant, Edward Arden, who served as Sheriff of Warwickshire in 1575, was in 1583 executed for alleged complicity in a Roman Catholic plot against Queen Elizabeth. His son-in-law, who was charged with him, took his own life while confined in Newgate.

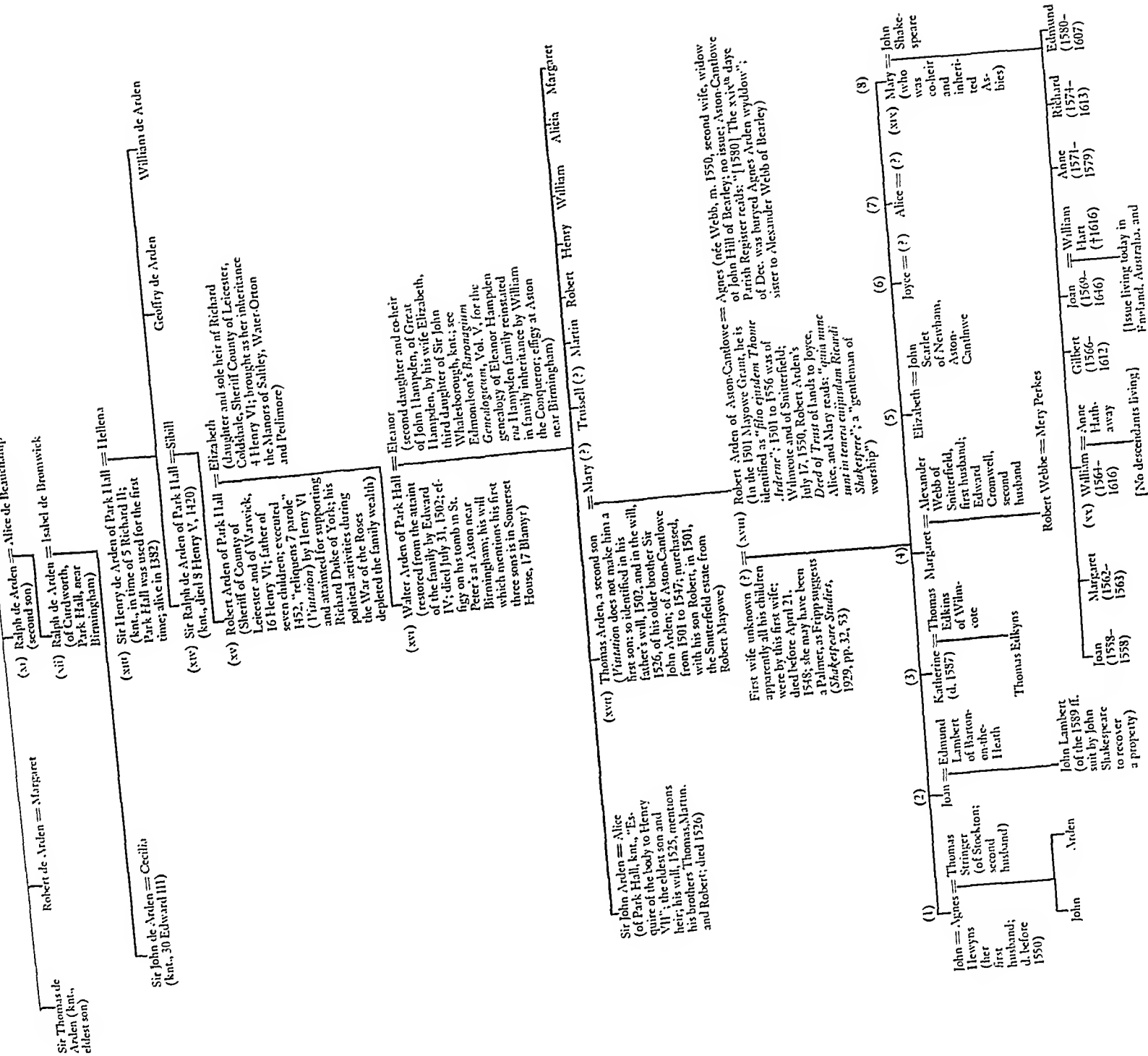
¹The first Earl of Warwick, Arthgal, was said in hand-to-hand encounter to have slain a vicious bear with a blow from a young tree which he had pulled up by its roots. Afterward, the Earls of Warwick, seeking a badge, adopted "the bear and the ragged staff." This device was used on the Warwick coat of arms. Throughout English history, the Earls of Warwick were always powerful and influential characters. Even Queen Elizabeth had to reckon with them.

ENGLISH (SAXON) KINGS BEFORE THE CONQUEST



* It is uncertain whether Ethelbert or Ethelred was the father of Ethelm and Ethelwold.
† Died without issue.





their position and influence waned. Fripp cites a Simon Arden² as, probably, the only Protestant among the Ardens. (4) Robert Arden of Park Hall, great-

children by denying them the right to inheritance of the father's property. A felon and a traitor, in particular, were commonly subject to attain. This Ar-

(6) The official positions, services, and prominence of the Ardens were such as to substantiate John Shakespeare's application for a coat of arms in 1596.

B. A 1501 deed of conveyance, by virtue of which John Mayowe of Snitterfield transferred real estate to Thomas and Robert Arden, is documentary evidence that Robert Arden, father of Mary Arden, was the son of Thomas Arden of Snitterfield. The Latin phrase is specific: "Thome Arderne de Wylmccote, et Roberto Arderne filio eiusdem Thome Arderne." To Mrs. C. C. Stopes belongs the credit for bringing this document to light. From "Miscellaneous Documents of Stratford-upon-Avon" (ii, 83), in the Birthplace Museum, she made the transcript of this deed of conveyance and first published it in *The*

[DOCUMENT 28]

[DEED OF CONVEYANCE IDENTIFYING THE FATHER
OF MARY ARDEN, 1501]

SCIANT PRESENTES et futuri quod ego Johannes Mayowe de Snytterfeld dedi, concessi, et hac presenti carta mea confirmavi, Roberto Throckmerton Armigero, Thome Trussell de Billesley, Rogero Reynoldes de Henley in Arden, Willelmo Wodde de Wodhouse, Thome Arderne de Wylmccote, et Roberto Arderne filio eiusdem Thome Arderne, unum mesuagium cum suis pertinenciis in Snytterfeld predicta, una cum omnibus et singulis terris toftis, croftis, pratis, pascuis et pasturis eidem mesuagio spectantibus sive pertinentibus in villa et in campis de Snytterfeld predicta cum omnibus suis pertinenciis; quod quidem mesuagium predictum quondam fuit Willelmi Mayowe et postea Johannis Mayowe et situatum est inter terram Johannis Palmer ex parte una et quandam venellam ibidem vocatam Merellane ex parte altera in latitudine et extendit se in longitudine a via Regia ibidem usque ad quendam Rivulum, secundum metas et divisas ibidem factas. Habendum et tenendum predictum mesuagium cum omnibus et singulis terris Toftis, Croftis, pratis, pascuis, et pasturis predictis, ac omnibus suis pertinenciis prefatis Roberto Throckmerton, Thome Trussell, Rogero Reynoldes, Willelmo Wodde, Thome Arderne et Roberto Arderne heredibus et assignatis suis de capitalibus dominis feodi illius per servicia inde debita et de jure consuetudine imperpetuum. Et ego vero predictus Johannes Mayowe et heredes mei mesuagium predictum cum omnibus et singulis terris Toftis, Croftis, pratis, pascuis et pasturis supradictis ac omnibus suis pertinenciis prefatis Roberto Throckmerton, Thome Trussell, Rogero Reynoldes, Willelmo Wodde, Thome Arderne et Roberto Arderne heredibus et assignatis suis contra omnes gentes Warrantizabimus et defendemus imperpetuum. Et insuper sciatis me prefatum Johannem Mayowe assignasse, constituisse et in loco meo posuisse dilectos michi in Christo Thomam Clopton de Snytterfeld predicta gentilman et Johannem Porter de eadem meos veros et legitimos Attornatos conjunctim et divisim ad intrandum vice et nomine meo in predictum mesuagium cum omnibus et singulis premissis et pertinenciis suis quibuscunque et ad plenam et pacificam scisinam pro me ac vice et nomine meo inde

great-grandfather of Mary Arden, was attainted (*ad + taint* < O. F. *ataindre* = "to accurse") in 1452 by Henry VI, because of his support of Richard Duke of York. In heraldry "to attain" meant to put a permanent stain on a man's

den thus became a traitor. His son, Walter Arden, however, was restored⁴ to the family inheritance rights by Edward IV. (5) Sir John Arden, older brother of Thomas Arden, was the royal "Esquire of the body to Henry VII."

²In *Shakespeare Studies* (1930, p. 97) Fripp opines: "One further fact clinches our belief in his [John Shakespeare's] Puritanism. In 1599 his son, evidently in his name, sought impalement of the Shakespeare coat of arms with that of the Arden family. This was granted; and a sketch was made, in the margin of the draft, of the Shakespeare shield and spear with the ermine, a fess chequy or and azure of the Park Hall kinsmen. John Shakespeare evidently would not consent to the device. It was altered, and for the ermine, a fess chequy, of the Park Hall traitors was substituted the gules, three cross crosslets fitché, a chief or of the only Arden who was a Protestant, namely, John Shakespeare's old contemporary, Simon Arden, still living and resident at Langerose, Yoxall, in Staffordshire (French, *op. cit.*, pp. 416-30).

³The Poet, probably from his mother's side, was not satisfied with the substitution. He never adopted it."

One may sympathize with Fripp's ardent endeavors to make John Shakespeare a militant Puritan, but there is little or no evidence on the subject. John Shakespeare's coat of arms and the Arden impalement are critically discussed later in this volume (chapters xxxvii and liii). The present editor considers that neither Catholicism nor Protestantism in the Shakespeare-Arden family had any bearing on the matter of the nature of the impalement or on that of accepting or rejecting the Arden impalement.

⁴Attain was by no means an infrequent occurrence in English political-social history. Often it was spitefully used and was always a sword of Damocles over independent-minded subjects. The Earl of Southampton, Henry Wriothesley, to whom William Shakespeare dedicated *Venus and Adonis* (1593) and *Lucrece* (1594), companion in arms with the Earl of Essex, was tried, condemned, and attainted, but his life was spared. James I, by a Patent to that effect, restored him his rights on July 21, 1603. Thomas Howard (Duke of Norfolk), son of the famed Earl of Surrey who was beheaded in 1547, and who was thus attainted, was restored to the family blood, inheritance, and honors in 1553. In turn Thomas Howard was suspected of favoring the Queen of Scots against Elizabeth and of aspiring to her hand, whereupon he was attainted and beheaded in 1572.

Thomas Clopton of the before-named Snitterfield, gentleman, and John Porter of the same place, my true and lawful attorneys, jointly and severally to enter for me and in my name into the aforesaid mesuage with its all and singular premises and appurtenances and for the full and peaceable seisin for me and in my name thence to be taken in this manner after the aforesaid seisin will have been taken to be delivered for me and in my name to the aforesaid Robert Throckmorton, Thomas Trussel, Roger Reynolds, William Wodde, Thomas Arden, and Robert Arden the full and peaceable possession and seisin of and in the same mesuage and all its singular premises in the same force and effect by these presents by my letter. Having ratified and granted and about to ratify and grant all and whatever said attorneys will do in my stead and in my name whether they will act of their own accord or otherwise according to the premises. In testimony whereof, to this my present letter, I have written my signature and affixed my seal. Witnessed by these: John Wagstaffe of Aston Cantlow, Robert Porter of Snitterfield, Richard Rusby of the same place, Richard Atkins of Wilmcote, John Alcokkes of Newenham and others. Given at Snitterfield on the day of the moon next after the feast of the Invention of the Holy Cross in the seventh year of the reign of King Henry and the six hundredth after the Conquest.

[DOCUMENT 29]

[DEED CONVEYING CERTAIN SNITTERFIELD PROPERTY FROM
ROBERT ARDEN TO HIS DAUGHTERS, 1550]

SCIENT presentes et futuri quod ego, Robertus Ardern de Wylmccote in parochia de Aston Cantlowe, in comitatu Warrewicensi, husbandman, dedi, concessi, et hac presenti carta mea tripartita indentata confirmavi, Ade Palmer de Aston Cantlowe predicta, et Hugoni Porter de Snytterfylde in comitatu predicto, totum illud mesuagium meum et tres quartronas terre, cum prato eisdem pertinente, cum suis pertinentiis, in Snytterfylde predicta, que nunc sunt in tenura cujusdam Ricardi Henley, ac totum illud cotagium meum cum gardino et pomario adjacentibus, cum suis pertinentiis, in Snytterfylde predicta, que nunc sunt in tenura predicti Hugonis Porter,—habendum et tenendum omnia predicta mesuagium, cotagium, gardinum, pomarium, terram, pratum, et cetera premissa, cum suis pertinentiis, predictis Ade Palmer et Hugoni Porter, heredibus et assignatis suis, ad usum et opus mei, predicti Roberti Ardern, et Agnetis nunc uxoris mee, pro termino vite nostrum, eorundem Roberti et Agnetis, ac diucius viventis nostrum, et post decessum diucius viventis nostrum, predictorum Roberti Ardern et Agnetis, nunc uxoris mee, tunc ad usus et opus sequentes,—scilicet, unam terciam partem omnium predictorum mesuagii, cotagii, gardini, pomarii, terre, prati, et ceterorum premissorum, cum suis pertinentiis, ad usum et opus Margarete Webbe, nunc uxoris Alexandri Webbe de Bereley, filie mei, predicti Roberti Ardern, ac heredum et assignatorum

formerly in the possession of William Harvey, father-in-law of Rusby and Palmer, seems hereafter to have been treated as one property. E. K. Chambers identifies this property with the property deed in trust in 1550 to Arden's daughters Margaret, Joyce, and Alice (see C, below). The Subsidy Rolls, 15 Henry VIII, 1523-24, present both a Thomas and a Robert Arden as living at Wilmcote. Each was assessed on goods valued at £10.

C. In two deeds of conveyance in trust, Robert Arden, consequent upon his marriage to Agnes Webbe-Hill, widow, made special settlements of some of his Snitterfield properties on his children, retaining a life interest in the property for himself and his wife. On July 17, 1550, in a deed of conveyance in trust, he conveyed Snitterfield property to Adam Palmer of Aston Cantlow and Hugh Porter of Snitterfield for the benefit, after the death of himself and his wife, of his daughters Agnes, Joan, and Katherine. This deed is quoted in full in Document 1 (p. 20), where it was noted that the deed recorded the tenure of Richard Shakespeare, grandfather of the poet. The property is generally identified as the Mayowe purchase (see B, above). Katherine was the wife of Thomas Edkins, who sold their interest to Thomas Stringer, husband of Agnes. Stringer, in February 1569, sold the portion belonging to himself and his wife and the Edkins portion to Alexander Webbe. Joan was married to Edmund Lambert, and they sold their share on July 1, 1580, to Robert Webbe, who then owned the portions acquired by his father.

A similar deed of conveyance, also dated July 17, 1550, conveyed certain Snitterfield property to the benefit of Joyce, Alice, and Margaret. Joyce and Alice seem never to have married. Margaret was married to Alexander Webbe. These two deeds of conveyance are among the Miscellaneous Documents at the Birthplace Museum. The Latin version of the second deed, with its abbreviated forms spelled out in full, is here given as Document 29. It has been collated with the transcript of Halliwell-

Phillipps in his *Outlines of the Life of Shakespeare* (II, 175-76).

Elizabeth, who married John Scarlet, and Mary, who married John Shakespeare, were not provided for in either of these deeds of conveyance. It is not known what provision Robert Arden made for Elizabeth; but certainly they were on good terms, for her husband, John Scarlet, was named one of the overseers of Arden's will of 1556. That will left Asbies and a sum of money to Mary. What other provision he made for Mary is not known.

It has already been mentioned that Agnes Webbe-Arden was to have a life interest in the property deeded by Arden to his daughters; this was apparently a marriage settlement made by Arden at the time of his second marriage.

In addition to the deeds, evidence of Agnes' interest is found in three additional documents: (a) Robert Arden's will, 1556, (b) the lease of the Snitterfield properties to Alexander Webbe in 1560, and (c) a deposition, dated 1580, which protected the Arden interest in the above-mentioned properties.

In his will of November 24, 1556, Robert Arden, after bequeathing his wife a sum of money, mentions "her gintur [jointure] in Snyterfylde." This must refer to the property being discussed.

At the time of the settlement of property on Agnes Arden and the conveyance in trust of property to the six daughters, one piece of property (the Mayowe) was leased to Richard Shakespeare and the other was leased to Richard Henley and Hugh Porter. Robert Arden died in 1556, and Richard Shakespeare in 1560. In the latter year Agnes Arden leased the two properties to her brother Alexander Webbe for an annual fee of 40s. The lease was to cover forty years. Webbe died in 1573, but the lease was continued by Edward Cornwall, who had married Webbe's widow, Margaret. In 1576 their interest in the Snitterfield property was transferred to Robert Webbe, son of Alexander Webbe, and a new lease was made in 1580 by Agnes Arden in favor of Robert. The

ejusdem Margarete Webbe imperpetuum; et alteram terciam partem omnium eorundem mesuagii, cotagii, gardini, pomarii, terre, prati, et ceterorum premissorum, cum suis pertinenciis, ad usum et opus Jocose Ardern, alie filie mei, predicti Roberti Ardern, ac heredum et assignatorum ejusdem Jocose Ardern imperpetuum; aliamque terciam partem omnium predictorum mesuagii, cotagii, gardini, pomarii, terre, prati, et ceterorum premissorum, cum suis pertinenciis, ad usum et opus Alicie Ardern, alie filie mei, predicti Roberti Ardern, ac heredum et assignatorum ejusdem Alicie Ardern imperpetuum, de capitalibus dominis feodi illius per servicia inde prius debita et de jure consueta. Et ego vero, predictus Robertus Ardern et heredes mei, omnia predicta mesuagium, cotagium, gardinum, pomarium, terram, pratum, et cetera premissa, cum suis pertinenciis, prefatis Ade Palmer et Hugoni Porter, heredibus et assignatis suis, ad usus et opus supradictos contra omnes gentes warantzabimus et imperpetuum defendemus per presentes. Sciatis insuper me, predictum Robertum Ardern, plenam et pacificam possessionem et seisinam de et in predictis mesuagio, cotagio, gardino, pomario, terra, prato, et ceteris premissis, cum suis pertinenciis, prefatis Ade Palmer et Hugoni Porter ad usus et opus superius specifatos, secundum vim, formam, tenorem et effectum hujus, presentis carte mee, tripartite indentate inde eis confecte, in propria persona mea tradidisse et liberasse. In cujus rei testimonium cuilibet parti hujus, presentis carte mee, tripartite indentate, sigillum meum apposui. Datum decimo-septimo die Julii, anno regni domini Edwardi Sexti, Dei gracia Anglie, Francie et Hibernie regis, fidei defensoris, et in terra ecclesie Anglicane et Hibernice supremi capitis quarto.

[DOCUMENT 30]

[LEASE OF SNITTERFIELD PROPERTIES BY AGNES ARDEN
TO ALEXANDER WEBBE, 1560]

THIS INDENTURE made the xxj. th daye of Maie in the seconde yeare of the reign of our sovereign Lady Elyzabeth by the grace of God Queene of Englande, Fraunce and Irelande defender of the faith, &c. Betwene Agnes Arderne of Wylmecote in the Countie of Warr: wydowe on the one partie and Alexander Webbe of Bereley in the same countie husbandeman on the other partie, Wytnessyth that the sayd Agnes Arderne ffor dyverse and sondry consyderations hath demysed graunted sett and to fferme lett, and by these presents demyseth graunteth setteth and to fferme letteth unto the said Alexander Webbe and to his assignes All those her two measuages with a cottage with all and singuler their appurtenaunces in Snytteifeld, and a yarde and a halfe of ayraable lande thereunto belongyng, with all lands medowes pastures commons profitts and commodities in any wyse thereunto apperteynyng, scituate lying and beyng in the towne and ffylde of Snytterfield afforsaid, all whiche now are in the occupation of Richarde Shakespere, John

Henley, and John Hargreve, To have and to holde the said two messuages or tenements and cottage wyth their appurtenaunces a yarde and a half of lande arable and all other the premysses with all and syn-guler their appurtenaunces unto the said Alexander Webbe his execu-ters and assignes from the feast of the annuecyacion of our Lady next ensuyng the date hereof untill the ende and terme of ffourtie years next and immediately following fully to be completed and ended, yff the said Agnes Arderne so longe do lyve yeldinge and paying therefore yearly duryng the said terme unto the said Agnes Arderne or her assignes ffourtie shillings of lawfull money of Englande to be payde at two termes in the yeare, that is to saye at the feast of Saynt Michael tharchaungell and the annunciation of our Ladye by equall portions; And the said Alexander Webbe covenanteth by these presents to dys-charge paye and save harmeles the said Agnes Arderne of all maner of chieff rents and suite of court dewe to the lorde of the ffee, and all other charges belonging to the forsaid messuages or tenements; and yf it happen the said rent of ffourtie shillings to be hyhynde unpaid in parte or in all after any of the said feasts or dayes of pay-ment at whiche yt ought to be payde as is afforsaid by the space of one month, beyng lawfully asked and demanded, and no sufficient distres can or may be founde in and upon the premysses by the space of syxe weks next after any of the sayd feasts, that then it shall be lawfull to the said Agnes Arden and her assignes to re-entree and have agayn their premysses and every parcell thereof as in her first estate, and the said Alexander Webbe his executors and assignes therof to expell and putt out, any thyng herein containyd to the contrary in any wyse notwithstandinge. Also the said Agnes covenanteth and graunteth to and wyth the sayd Alexander and his assignes, that the said Alex-ander his executors and assignes shall have enjoy and take duryng all the said terme sufficient housebote, ploughbote, cartbote and hedge-bote, wyth loppes and shreds growyng and beyng in and upon the premysses, or any parcell thereof, for the defense and use of the same howses and clousures withowt doyng any wast. Also the said Alex-ander Webbe covenanteth by these presents yearly to repayre mayn-teneyne and keape all and all maner of necessary reparacions perteynyng and belonging to the forsaid tenements cottages, havyng sufficient tym-bre on the forsaid grounds yf any be there to be hadd for the same. And the said Agnes Arderne and her assignes [let] the said two messuages or tenements with the sayd cotages a yarde and a halfe of lande and all other the premysses with their appurtenaunces unto the said Alexander Webbe his executors and assignes for the said yearly rent in manner and fourme afforsaid, agaynst her and her assignes shall awarrunt and defende duryng the said terme of xlv years, if she live so longe. In wytnes wherof the parties afforsaid to these present indentures enter-changeably have putt to their scales the day and yeare abovewrytten.

Selyd and delyveryd in the presents of John Somervyle, and Thomas Osbarston, and others.

earlier lease of 1560 and the deposition of 1580 have virtually identical descrip-tions. This 1560 lease is here given *in extenso* as Document 30 from Halliwell-Phillipps' transcript in his *Life of Wil-liam Shakespeare* (1848, pp. 10-12).

The third bit of documentary evi-dence which supports Agnes Arden's life interest in the Snitterfield property is to be found in her deposition of 1580, in which, under oath, she declared that she had been receiving and was continu-ing to receive rentals of 40s. a year from Alexander Webbe, her own brother, for "twoe messuages one cottage and all lands and tenements, . . . lyinge and being in Snitterfield," which prop-erties "was made to me the sayd Agnes for terme of my lyffe by Roberte Arden my late husband in the fourth yeare of . . . King Edward the sixt." The original is among the July 5, 1580, Chan-cery Proceedings in the Public Record Office. A copy is among Miscellaneous Documents in the Birthplace Museum and was printed by Halliwell-Phillipps in his *Life of William Shakespeare* (p. 11), from which it is here taken as Document 31.

This deposition of 1580 was for the purpose of protecting her rights and those of her stepdaughters against the claims of Thomas Mayowe. In 1582 Robert Webbe, son of Margaret Arden-Webbe and then owner of the property, was in court protecting his rights against Mayowe's claims; John and Henry Shakespeare were two of his witnesses.

On Agnes Arden's death in 1580, her life interest in these two Snitterfield properties automatically reverted to the Arden family estate. In Easter Term, 22 Elizabeth, 1580, for the sum of £40 (£1,600), John and Mary Shakespeare conveyed "the sixth part of two parts" of a Snitterfield property (some one hundred acres with messuages, gardens, and orchards, to Robert Webbe, son of Mary's sister Margaret and Alexander Webbe. Since Mary did not share with her sisters in her father's deeds of trust (see p. 85, above), it is probable that she acquired an interest in this property through one or more of the sisters who died (see p. 153, below).

D. The will of Robert Arden, November 24, 1556, found by Malone in the Consistory Office of the diocese at Worcester, throws additional light on the immediate family of Mary Arden. The appended inventory of his goods likewise is informing. (The Register of the Consistory Court, in a communication dated May 25, 1934, reported that Robert Arden's will was not in its possession and declared that he did not know its present whereabouts.) The will is very brief; and its spelling is definitely rural for the period. Of the several transcripts of this will, the best is that of J. W. Gray in his *Shakespeare's Marriage* (1905, pp. 261-63). With slight modification, that version is here employed as Document 32.

The following details concerning Robert Arden's will should be noted: (1) It was dated November 24, 1556. (2) Robert Arden was identified as of Wilmcote and in the parish of Aston Cantlow. (3) "Gentleman" was not added. (4) He was sick at the time of making his will. (5) He was definitely a good Catholic: His "I bequethe my solle to Allmyghtye God and to our bleside Laydye Sent Marye and to all the holly compenye of heven" was the very phrase that Protestant and Puritan eschewed. (6) He desired to be buried in St. John's in Aston Cantlow. (7) To Mary he bequeathed "all my lande in Willmecote, cawlide Asbyes," with "the crop apone the grounde sowne and tyllide as hitt is," and also "vj.^{li}. xiiij.^s. iiij.^d." (about \$270). (8) To Alice he bequeathed "the thyrde parte of all mye goodes, . . . besydes that goode she hathe of her owne att this tyme." (9) To "Annes" (Agnes Webbe-Hill), his second wife, stepmother of Mary, and others, he bequeathed "vj.^{li}. xiiij.^s. iiij.^d. apone this condysione that [she] shall sofer my dowghter Ales quyetlye to ynyoye [enjoy] halfe my cople-houlde in Wyllmecote dwryng the tyme of her wyddowewhodde and if she will nott soffer my dowghter Ales quyetlye to occupye halfe wth her then I will that my wyfe shall have butt iiij.^{li}. vj.^s. viij.^d. [about \$135] and her gintur [jointure] in Snyterfylde." This jointure was the

marriage settlement made on her in 1550 (see C, above, p. 85). This proviso has been interpreted to indicate that there was ill feeling between daughter (perhaps daughters) and stepmother. In any case there was definite reduction in the amount of money bequeathed to the wife Agnes if she did not keep the

that hathe no teme in the parryche of Aston to every howse iiij.^d." (14) Five persons—the local curate, Sir William Borton; Adam Palmer, an overseer; John Scarlet, his son-in-law; Thomas Jenks, his son-in-law; and William Pitt—were witnesses. And then was added to the list of witnesses the phrase "with

[DOCUMENT 31]

[DEPOSITION OF AGNES ARDEN CONCERNING HER
SNITTERFIELD PROPERTIES, 1580]

To ALL and to whom thes presentes shall come, Agnes Arden of Wilmcote in the countie of Warr: widowe greting, knowe ye that I the sayd Agnes have receaved of Allexander Webb and still doe receive of his executors and assignes for twoe messuages one cottage and all lands and tenements with thappurtenaunces belonging to the same lyng and being in Snitterfield in the countie aforesaid, one yearly rent of fortie shillings, according to the demise thereof made by me the sayd Agnes to the sayd Allexander Webb bearing date the one and twentieth daie of Maii in the second yeare of the raigne of the Queenes Majesties that nowe is for the terme of fortie yeares, if I the sayd Agnes so long doe lyve; Of which sayd messuage and premisses estate was made to me the sayd Agnes for terme of my lyffe by Roberte Arden my late husband in the fourth yeare of the raigne of the late King Edward the sixt, of which sayd estate for terme of my lyffe I am yet seased. All which to be true I have thought good to testifie by this my wryting, and am and wilbe readye to depose the same upon myne othe at all tymes and places if I weare able to travell, being aged and impotent. In wytnes whereof to these presentes I have putt my seale the fifte day of July, 1580.

the marke
of

AGNES
ARDEN.

Sealed and delyvered in the presence of
Adam Palmer, and Anthony Osbaston and John Hill.

peace with her stepdaughter Alice. (10) The residue of his goods—funerals and debts paid—he bequeathed to his other children (each appears to have been married) in equal portions. (11) Overseers were Adam Palmer and Hugh Porter of Snitterfield and John Scarlet, his son-in-law. (12) The executors were Alice and Mary (probably under age, a fact which would not legally disqualify her), his daughters—not his wife Agnes. (13) A final bequest is "to every house

other mo," a statement which not infrequently is found in sixteenth-century testamentary documents of this sort. (15) The appended probate note is dated December 16, 1556.

The generous bequest of Asbies plus £6 13s. 4d. to Mary suggests that she was in the good graces of her father, Robert Arden. Since Mary married John Shakespeare at about this time, perhaps the bequest was intended as something of a marriage portion.

The "Inventory" of Robert Arden's goods, made on December 9, 1556, after his death, shows that his household was very well equipped for a home in the country of that day. The various ar-

large number of painted cloths, used as decorative hangings on the walls in place of ancient tapestries, suggests a rural household quite above the average. The animals, grain, hay, bees, poultry,

course, did not include lands and ready money.

Thus Mary Arden did not come from a family of ordinary tenant farmers, but from copyholders and landed gentlemen. One wonders whether or not any of those painted cloths in her father's house came to adorn the walls of the new home of John and Mary Shakespeare in Henley Street, Stratford-upon-Avon.

Halliwell-Phillipps (*Outlines of the Life of Shakespeare*, 1882, I, 27) in his serious endeavor to avoid any semblance of hero worship in things Shakespearean no doubt went too far in the case of Robert Arden when he declared: "But with all these advantages he was a farmer, and nothing more—a worthy fellow whose main anxiety, as fully appears from the records, centered in the welfare of his family, and who had no desire to emulate, however remotely, the position of a country gentleman."

The inventory was printed by Halliwell-Phillipps (*Life of William Shakespeare*, 1848); the transcription here given as Document 33 is from Gray (*Shakespeare's Marriage*, pp. 262-63).

E. The will (1579) of Agnes Arden, second wife of Robert Arden and step-mother of Mary Arden, showed her generosity toward the poor and toward her own family. No Arden was mentioned in any capacity in the testamentary document. Agnes Arden was buried at Aston Cantlow, on December 29, 1580; her will was made in 1579—the document is mutilated at the place where the day of the month had been written—and was probated on March 31, 1581. Agnes Arden was born Agnes Webbe, sister of Alexander Webbe of Bearley. She had first married a John Hill, by whom she had a son John and a daughter Mary (who married John Fullwood, a gentleman farmer of Little Alne, Aston Cantlow). Hill had died before 37 Henry VIII, 1546, for Agnes Hill, widow, at Bearley, in that year, was assessed on £7. She married Robert Arden some time after April 21, 1548, when Robert Arden's first wife (name not known) died. This second marriage took place about 1550: in that year

[DOCUMENT 33]

[WILL OF ROBERT ARDEN, NOVEMBER 24, 1556]

IN THE NAME of God Amen the xxiiij. th daye of November in the yeare of our Lorde God 1556 in the thirde and the forthe year of the raygne of our soveraigne lorde and ladye Phylipe and Marye, kyng and quene &c. I Robart Arden of Wyllmccote in the parryche of Aston Caunntlowe seeke in bodye and good and perfett of remembrance make this my laste will and testement in maner and forme folowyng.—Fyrste I bequethe my solle to Allmyghtye God and to our bleside Laydye Sent Marye and to all the holye compenye of heven and my bodye to be beryde in the churchyarde of Seynt Jhon the Babtyste in Aston aforsayd. Allso I give and bequethe to my youngste dowghter Marye all my lande in Willmccote, cawlide Asbyes and the crop apone the grounde sowne and tyllide as hitt is and vj.li. xij.s. iiij.d. of monye to be payde orr ere my goodes be devydide. Allso I gyve and bequethe to my dowghter Ales the thyrd part of all mye goodes moveable and unmoveable in fylde and towne after my dettes and leggeses be performyde besydes that goode she hath of her owne att this tyme. Allso I gyve and bequethe to Annes my wyfe vj.li. xij.s. iiij.d. apone this condysione that shall sofer my dowghter Ales quyetye to ynyoye halfe my cople-houlde in Wyllmccote dwryng the tyme of her wyddowehodde and if she will nott soffer my dowghter Ales quyetye to occupye halfe wth her then I will that my wyfe shall have butt iij.li. vj.s. viij.d. and her gintur in Snytterfylde. Item I will that the resedowe of all my goodes moveable & unmoveable my funeralles & my dettes dyscharyge I gyve & bequethe to my other cheldren to be equaleye devidide amongeste them by the descreshyon of Adam Palmer Hugh Porter of Snytterfylde & Jhon Skerlett whome I do orden and make my overseres of this my last will and testament & they to have for ther peynes takyng in this behalfe xx.s. apese. Allso I ordene and constytute and make my ffull exeqtores Ales & Marye my dowghteres: of this my last will and testament: And they to have no more for ther peynes takyng now as afore geven them. Allso I gyve & bequethe to every house that hath no teme in the parryche of Aston to every howse iiij.d. These beyng wytnesses Sir Wylliam Borton curett Adam Palmer Jhon Skerlett Thomas Jhenkes Wylliam Pytt with other mo.

titles, their quality, and their appraisal values (always very low in such inventories) fully demonstrate this fact. Hall, chamber, kitchen, and buttery were all well and adequately equipped. The

cart, plow, harrow, harness, wood, bacon, wheat in the field, all suggest a degree of farmer prosperity. The total was appraised at "lxxvii^{li}. xj. s. x. d.," or about \$3,100 in modern values. This, of

Robert made the settlement on Agnes Webbe of a life lease in two Snitterfield properties. Widow Arden, after Robert's death in 1556, let John Shakespeare farm the Arden Snitterfield farm until 1560, when she let it to her brother, Alexander Webbe⁵ of Bearley, as from March 25, 1561. In 1580 (on July 5), she was "aged and impotent" and "unable to travel"; so, for her nephew Robert, who had a suit in the Court of Chancery about her life lease in the two Snitterfield properties, she made her deposition at the old homestead of the Ardens at Wilmcote. The same day, in the presence of faithful Adam Palmer, she renewed her brother Alexander's lease of the farm to Robert, her nephew. (This Robert Webbe was cousin of William Shakespeare: his father Alexander was Shakespeare's uncle "Saunder," and his wife was Shakespeare's aunt Margaret.) The present location of Agnes Arden's will, once at the Registry Court of the diocese at Worcester according to Halliwell-Phillipps, is not known. The transcript here given as Document 34 is, with but slight variations, that of J. O. Halliwell-Phillipps (*Life of William Shakespeare*, pp. 13-14, and his *Outlines*, II, 54-55). Malone's *Variorum* (1821, II, 538-39), printed a transcript; Hunter (*New Illustrations of Shakespeare*, 1845, I, 38-40) issued a transcript, which Halliwell-Phillipps (*Life of William Shakespeare*, p. 87) declared contains eighty-seven errors. Hunter's transcript was made from the original at Worcester and was the first to be printed.

The will of Agnes Arden was essentially a rural will: a gift of a "sheepe" recurs rather frequently, and the spelling, for its day, was more rural than metropolitan. It was a stepmother's will—one that shows her preference for her own family by her first husband, John Hill, rather than for any member of the Arden household. Her son, John Hill, and her son-in-law, John Fullwood (who married her daughter Mary), re-

ceived special consideration. No lands were mentioned; small sums of money and sheep were the chief bequests. Her grandchildren were one of her chief concerns. The fact that she bequeathed no lands shows that Robert Arden's mar-

parish. (5) 12*d.* went to each godchild. (6) Sheep were bequeathed, ordinarily one each, to "Averie Fullwod," "Rychard Petyvere," "Nycolas Mase," "Elizabeth Gretwhiche," and "Elyzabeth Bentley," also to "everie off Jhon

[DOCUMENT 33]

[INVENTORY OF ROBERT ARDEN'S GOODS ATTACHED
TO HIS WILL, 1556]

The Ynventory of all the goodes moveable and unmoveable of Robart Ardennes of Wyllmcote late deseside made the ix. th day of December in the thyrde and the forthe yeare of the raygne of our soveraygne lorde and ladye, Phylipe and Marye kyng and quen, &c. 1556.

Imprimis in the halle ij. table-bordes iij. choyeres ij. formes one cobbowrde ij. coshenes iij. benches and one lytle table with shellves, prisede att viij.s. Item ij. peyntide clothes in the hall and v. peyntid clothes in the chamber vij. peare of shettes ii. cofferes one which priside at xvij.s. Item, v. borde clothes ij. toweles and one dyeper towelle prisid att vj.s. viij.d. Item one fether bedde ij. matterescs viij. canvases one coverlett iij. bosteres one pelowe iiij. peyntide clothes one whyche prisid att xxvj.s. viij.d. Item in the kechen iiij. panes iiij. pottes, iij. candell-stykes one bason one chafyng-dyche ij. cathernes ij. skellettes one frying pane a gredyerene and pott hanginges with hookes prisid att lj.s. viij.d. Item one broche a peare of cobbardes one axe a bill iiij. nagares ij. hachettes an ades a mattoke a yren crowe one fatt iiij. barrelles iiij. payles a quyrne a knedyng trogh a lonng sawe a hansaw prisid at xx.s. ij.d. Item viij. oxen ij. bollokes vij. kyne iiij. wayning caves xxiiij.li. Item iiij. horses ij. coltes prisid att viij.li. Item l.ti. shepe prisid att vij.li. Item the whate in the barne & the barley prisid att xviii.li. Item the heye and the pease ottes and the strawe prisid att iij.li. vj.s. viij.d. Item ix. swyne prisid att xxvi.s. viij.d. Item the bees and powltrye prisid att v.s. Item carte & carte geares and plogh and plogh geares with harrowes prisid att xl.s. Item the wodd in the yarde & the baken in the roffe prisid att xxx.s. Item the wheate in the fylde prisid att vj.li. xiiij.s. iiij.d. Summa totalis lxxvii.li. xj.s. x.d.

riage settlement (1550) on her of the two Snitterfield estates was in terms of a life lease and not in the form of a complete conveyance of the property to her.

The will may be summarized as follows: (1) It is dated 1579. (2) Agnes was identified as a widow of Wilmcote in the parish of Aston Cantlow. (3) The will is not definitely Catholic. (4) 10*s.* was bequeathed to the poor of Aston

Hills children," and "allso to John Fullwodes children." And to "John Fullwod and Edward Hill my godchilde, everi one of them, one shipe more." (7) Small sums of money were bequeathed to John Page and his wife, to Robert Hasketts, to John Peter, to Henry Berry, and to John Lambert (son of Edmund Lambert, who had married her stepdaughter, Joan Arden). (8) One "strike"

⁵ A Court Leet view of frank pledge of the period has the following entry: "Raf Cawdreie for making a fray upon Alexander Web of Berely, he stands amerced xij*d.*" Such alterations were not uncommon in the sixteenth century.

[DOCUMENT 34]

[WILL OF AGNES ARDEN, 1579]

IN THE NAME OF GOD yeare of our Lorde God 1579, and in the yeare of the raigne off our Sovereigne Queene Elyzabeth, by the grace of Fraunce and Irland, Queene, deffendris of the faythe, &c., I, Agnes Ardenne, of Wylm-cote in the perishe of Aston Cantlowe, wydowe, do make my laste wyll and testamente in manner and forme followinge. First, I be-quethe my soule to Almighty God, my maker and redeemer, and my bodie to the earthe. Item, I geve and bequethe to the poore people and inhabitaunce of Bearley iiij.s. Item, I geve and bequeth to the poore people inhabited in Aston perishe x.s., to be equallie devided by the discrecion of my overseers. Item, I geve and bequeth to everi one of my god-children xij.d. apeece. Item, I give and bequeth to Averie Fullwod ij. sheepe, yf they doe lyve after my desease. Item, I give and bequeth to Rychard Petyvere j. sheepe, and to Nycolas Mase j. sheepe, and Elizabeth Gretwhiche and Elyzabeth Bentley eyther of them one shepe. Item, I geve and bequeth to everie off Jhon Hills children everi one of them one sheep, and allso to John Fullwodes children everi one of them one shepe. My wyll is that they said sheepe soe geven them shall goe forward in a stocke to they use of they sayd children untill the come to the age of discrecion. Item, I geve and bequethe to John Payge and his wyfe, the longer liver off them, vj.s. viij.d., and to John Page his brother j. strike of wheat and one strike of maulte. I geve to John Fullwod and Edward Hill my godchilde, everi one of them, one shipe more. Allso I geve to Robarte Haskettes ij.s. iiij.d. Also, I geve to John Peter ij.s., and allso to Henrie Berrie xij.d. Item, I give to Jhohan Lamberde xij.d., and to Elizabeth Stiche my olde gowne. Item, and bequeth to John Hill, my sonne, my parte and moitie of my croppes in the fieldes, as well wheate, barley and pease, painge for the same half the lordes rente and ducties belonging to the same, so that my wyll is the sayd John Hill shall have the nexte croppes uppon the ground after my desease. I geve to the said Jhon Hill my best platter of the best sorte, and my best platter of the second sorte, and j. poringer, one sawcer, and one best candlesticke. And also I geve to the said John two paire of sheetes. I give to the said Jhon Hill my second potte, my best panne. Item, I geve and bequeth to Jhon Fullwod, my sonne-in-lawe, all the rest of my householde stuffe. Item, I give and bequeth to John Hill, my sonne, one cow with the white rumpe. And also I geve to John Fullwod j. browne steare of the age of two yeares olde. Item, I give and bequeth to my brother Alexander Webbes children, everi one of them, xij.d. apeece. The rest of all my goodes, moveables and unmoveables, not bequevid, my bodie brought home, my debtes and legacies paid, I geve and bequeth to John Fullwod and to John Hill, to the use and behalf of the said John Fullwodes and John Hilles children, to be delivered unto them and everie of

of wheat and one strike^a of malt were bequeathed the brother of John Page. (9) She left "to Elizabeth Stiche my olde gowne." (10) To John Hill, her son, was given her part of the crops, "my best platter of the best sorte, and my best platter of the second sorte," a poringer, a saucer, one best candlestick, two pairs of sheets, "my second potte, my best panne." (11) To John Fullwod, her son-in-law, was bequeathed "the rest of my householde stuffe." (12) To John Hill, she willed "one cove with the white rumpe." (13) To John Fullwod, one "browne steare of the age of two yeares olde." (14) 12d. went to each of Alexander Webbe's (her brother's) children. (15) The residue was devised to John Fullwod and John Hill for the benefit of their children "when the come to age of discrecion." (16) John Fullwod and John Hill were appointed executors. (17) Adam Palmer and George Gibbs were appointed overseers. (18) The witnesses were Thomas Edkins (husband of her stepdaughter, Katharine Arden), and Richard Pctifere, plus the conventional "with others." (19) The note of probate was dated March 31, 1581, and the inventory, dated January 19, 1581, valued the goods at £45 (about \$1,800).

The "inventorie" of her goods, as appraised by the ever faithful Adam Palmer, George Gibbs, Thomas Edkins, and his son, Thomas Edkins, on January 19, 1581, warrants reprinting (from J. O. Halliwell-Phillipps' *Life of William Shakespeare*, pp. 13-14) as Document 35.

F. The documentary materials for a biographical record of Mary Arden, mother of William Shakespeare, are not plentiful enough to make the account as complete as one could wish. Yet, there are some facts worth summarizing: (1) While the parish register entry (records at Aston Cantlow do not begin so early) for her birth has never been found, she probably was born between 1538 and 1540. She died in 1603,

^a A "strike"—actually originally the stick used to scrape off and make level the top of a measure of grain or of salt—varied locally from two pecks to four bushels.

them when the come to age of discrecion. Yf any of the said children doe die before they recover their partes so geven by me, their partes deseased shall remain to the other so levinge with the said John Fullwod and John Hill, I do ordaine and make my full executors of this, my last, wyll. Allso I ordeyne and make my overseers, Addam Palmer, George Gibbes. These beinge witnesses,—Thomas Edkins, Richarde Petifere, with others.

Probatum fuit hoc presens testamentum coram magistro Richardo Cosin, legum doctore, reverendi in Christo patris et domini Johannis permissione divina Wigorn. episcopi etcetera; apud Warwicum ultimo die mensis Martii, 1581. Exhibuit inventarium ad summam xlv.li.

[DOCUMENT 35]

[INVENTORY OF THE GOODS OF AGNES ARDEN, 1581]

Inprimis, in the halle, twoe table bordes with a coobbarde and a painted clothe, three coshens with shilves, other formes and benches, viij.s.

Item, three pottes of brasse, ij. calderons, ij. brasse pannes, ij. peeces of pewter, with iij. candelstickes, with two saltes, xvj.s.

Item, ij. broches, j. payre of cobbardes, j. fireshovell, with pott-hokes and linkes for the same, xvj.d.

Item, in the chambers her apparrell, l.s.

Item, the beddinge and bedstides with apceware in the said chambers, iij.li. iij.s. iij.d.

Item, three coffers with a peece of woollen clothe, xv.s.

Item, the cowperie ware, with a maulte mylle, one knedinge trouge with syves, and a stryke - - - - - x.s.

Item, ffowre oxenne, ffowre kyne, ij. yearlinge calves xij.li. xij.s. iij.d.

Item, xxxviij.th sheepe - - - - - iij.s.

Item, three horses and one mare - - - - - iij.li.

Item, five score pigges - - - - - xij.s. iij.d.

Item, wayne and wayne geares, plowe and plowgeres, carte and cart geares - - - - - xxx.s.

Item, the wheate in the barne her parte, iij.li.

Item, her part of barly in the barne, iij.li.

Item, her parte of hey in the barnes, xiiij.s.

Item, the wheate one grounde in the fieldes her parte, v.li.

Item, her parte of peason, iii.li. vj.s. viij.d.

Summa totalis, xlv.li.

fifty-two years after 1556 or 1557 when she married John Shakespeare. If she was still a young girl of 17 or 18 when she married, her natal year was 1538 or 1539. That being the case, she lived to the ripe age of seventy or thereabouts. (2)

The best Anglo-Saxon blood of Earls of Warwick, Earls of Mercia, Hampdens, and others, flowed in her veins. (3) The Arden family was one of the noblest and oldest in Warwickshire. (4) The Ardens had been sheriffs, knights, officers

of the Crown, and landed gentlemen for many generations. (5) Mary's descent from the early Earls of Warwick, and others, was not direct through a sequence of oldest sons as required in the orthodoxy of heraldry and genealogy, but blood descent nevertheless, through second sons, etc. (6) The family inheritance had been much depleted by the participation of her great-great-grandfather, Robert Arden of Park Hall, in the Wars of the Roses and by his consequent attaint and execution in 1452. (7) The family attaint had been removed by Edward IV in favor of her great-grandfather, Walter Arden of Park Hall, who died in 1502. (8) With the depletion of the Arden estate and with the coming of Protestantism and then Puritanism—the Ardens were staunch Catholics—the Arden influence gradually waned. (9) Her own father, Robert Arden, probably the second son of Thomas Arden of Park Hall, was a landed gentleman of Wilmcote with landholdings at Wilmcote and at Snitterfield. (10) Mary was the youngest of eight daughters (not seven as Sidney Lee, *Life of William Shakespeare*, p. 6, says) by Robert's first wife, perhaps a Palmer. (11) Mary's mother died on April 21, 1548, when she was a child of about ten. (12) Her father, about 1550, married Agnes Webbe-Hill, widow, who had two children—John and Mary—of her own. (13) In 1550 Robert Arden made a marriage settlement on his second wife, Agnes, in terms of a life lease of two Snitterfield estates, one of which was then in the tenure of Richard Shakespeare, John's father. (14) In 1550, on July 17, Robert Arden made two settlements of Snitterfield properties on his children—Elizabeth (married to John Scarlet) and Mary not being provided for. (15) Joyce disappears from the record; perhaps she was the Joyce who died at Pedmore. Alice and Joyce appear never to have married. (16) Her father Robert Arden's will of November 24, 1556, bequeathed to Mary the Asbies estate at Wilmcote, the crops in the field, and £6 13s. 4d. (about \$270). (17) This generous devise and her appointment, though perhaps she was not of age, with

her sister Alice, as executrix of her father's will suggest that he was kindly disposed toward his youngest child. The same will shows that her sister, Alice, and the stepmother, Agnes Webbe-Hill-Arden, were perhaps not on very good terms. (18) In 1556-57, at about the time of her father's death, Mary Arden contracted marriage with John Shakespeare, who had already set himself up as a glover in Stratford-upon-Avon, who had already started on his way up in the municipal activities of that town, and who had already purchased the east part of the Henley Street property. (19) To the Henley Street property, the Birthplace, as it is now called, she came to reside—probably with Asbies and with some money as her contribution to the marriage relationship with John Shakespeare. (20) While John Shakespeare prospered and advanced to the highest municipal office in the gift of the Corporation, Mary Arden bore him eight children (so the Parish Register shows): Joan, September 15, 1558, who died in early infancy; Margaret, December 2, 1562, who died as a child on April 30, 1563; William, April 23, 1564; Gilbert, October 13, 1566, who died on February 3, 1612; Joan, April 15, 1569, who died on November 4, 1646; Anne, September 28, 1571, who died on April 4, 1579; Richard, March 11, 1574, who died February 4, 1613; and Edmund, May 3, 1580, who died on December 3, 1607. (21) Of Mary's children three died very young—a Joan, Margaret, and Anne—and Edmund was buried in 1607, the year before she herself died. (22) All her property interests—Asbies, the two Snitterfield estates—were sold by her husband, John Shakespeare, who became prominent in the business affairs of Stratford. (23) In 1575 they bought the west two parts of the Henley Street property and thereby enlarged the east part of the property which John had secured in 1556. (24) In 1582, her son, William, married Anne Hathaway, and the two came to live in the Henley Street property. (25) In 1594 a disastrous fire imperiled the Henley Street property, and the west end was pulled down by fire-hooks. (26) In 1596

John Shakespeare was awarded the coat of arms which he had endeavored to secure twenty years before; by this act Mary Arden's rights in the gentry were restored to her. (27) In 1597, William moved with his family of two girls, Susanna and Judith (Hamnet had died in 1596), to New Place, which he had purchased. (28) In 1601 John Shakespeare, ripe with age, died. (29) In 1608 Mary died. (30) Her line has persisted through her daughter, Joan (second daughter of that same name), only, who married William Hart. Only Joan and William, of all her children, appear to have married. The death in 1596 of William's son Hamnet must have been a serious blow to a grandmother anxious to see her family established in the line of landed gentry. Susanna, William's older daughter, had married John Hall the year before Mary Arden Shakespeare's death, and a daughter Elizabeth was born early in the year 1608. Although this great-granddaughter lived until 1670 and was married twice, she had no descendants. Judith, William's other daughter, married the year of her father's death; but her three sons, Shakespeare, Richard, and Thomas, all died in youth. By 1608 Joan had two sons, William and Thomas, and another son, Michael, was born a few weeks after his grandmother's death. Joan's descendants are to be found today in England, Australia, and the United States.

Mary Arden thus lived to see her husband prosper in business and in municipal affairs, her Shakespeare family established with a coat of arms in the landed gentry, and her son William accumulate considerable property. She saw the passing of Queen Elizabeth and the accession of James I, and she lived to see also her son William acclaimed one of the foremost poets in England. No doubt William's elevation of the Shakespeare family to be landed gentry was more satisfying to her than were his achievements in the field of drama. No doubt, too, among the bitter experiences of her life were the premature deaths of some of her own children. Posterity does homage to Mary Arden, mother of William Shakespeare.

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VIII

THE ENVIRONS OF STRATFORD-UPON-AVON IN WARWICKSHIRE

WARWICKSHIRE, Shakespeare's native shire, is in about the geographical center of England. On the north it is bounded by Staffordshire (north-west), Derbyshire (a small shire bordering on the north), and Leicestershire (on the northeast); on the east by Leicestershire and Northamptonshire; on the south by Oxfordshire and Gloucestershire; on the west by Worcestershire and Staffordshire. Derby, Leicester, Northampton, Oxford, Gloucester, Worcester, Stafford—centers, respectively, of those shires—were important semi-medieval towns of consequence in Shakespeare's time. Many of the rivulet sources of the Avon River were in Warwickshire, and the river divided the county into virtually two parts. It contains something less than a thousand square miles, and its southern part, where Stratford-upon-Avon is located, was and is largely agricultural. In its earlier day, Warwickshire had been part of the large Forest of Arden, some of which still remained to the north and west of Stratford-upon-Avon in the poet's day.

Concerning the Roman occupation of Warwickshire relatively little has been brought to light by excavation. In this respect, Chester, York, London, and Bath provide much more abundant evidence; and Hadrian's Wall (A.D. 122), much of which may be seen today between England and Scotland, is ample

evidence that there were Roman contacts between London, York, and Chester and the northern part of the realm. Chester and York—to the west and to the east of Warwickshire—were strongholds to which Roman roads led from London. Accordingly it was not through Warwickshire that the main Roman thoroughfares to the north were built. Fosse Way passed across the southeast of Warwickshire, and Watling Street touched it in the north; but the shire, obviously, was not one of the great Roman centers. Yet there is evidence, historical and archaeological (fruitful excavations have recently been made at Stratford), of Roman occupation of Warwickshire. The name Stratford (Strætford) is itself evidence of Roman activities in that vicinity.

Early Saxon occupation is evident from local Saxon place names, a factor highly important in any study of English history. The migration from the Continent assumed proportions in 449. The Hwiccas, early migrative Anglo-Saxon tribes, first occupied Warwickshire. Native Celtic tribes fought them at Welcombe Hills just north of Stratford. In 628, at the battle of Cirencester, the Hwiccas were smitten by more powerful Mercians, who thereafter absorbed them. After the ninth and tenth centuries, Anglo-Saxon convulsions affected Warwickshire little.

Warwickshire was organized as a shire in the tenth century about Ethel-

red's new burg at Warwick. As such it appears in the *Anglo-Saxon Chronicle* of 1016. Today some of the names of the Old-Saxon "hundreds" of that earlier period before Shakespeare remain: Hemlinford Hundred was west of Coventry in the north; Barlichwaye Hundred was north and west of Stratford; Kyneton Hundred, in part, was south and east of Stratford; Knightlow Hundred was south and east of Coventry. While these "hundred" divisions have little significance today, in the dramatist's day they were still used as units by which to conduct surveys and make other calculations, as may be seen in the documents of 1592 having to do with John Shakespeare's recusancy (see chapter vi, above).

Evidence of Norman occupation of Warwickshire persisted in terms of the manors, many of them still important in Shakespeare's day. Some of these sixteenth-century manors in southern Warwickshire were: Clopton Manor, held by the Cloptons, who did much for Stratford-upon-Avon, providing a bridge and a gild chapel which exist today; Luddington, owned by the Conways of Arrow; Drayton, owned by the Petos of Chesterton; Bishopston, held by the Catesbys of Lapworth and later by the Archers of Tamworth; Shottery (part of it), held by the Smiths of Wootten Wawen; Stratford Manor, owned by the Bishop of Worcester, in which lay the borough of Stratford itself; Charle-



cote, owned by the Lucys; Milcote, owned by the Grevilles; Clifford Chambers (across the line in Gloucestershire), owned by the Rainsfords; Snitterfield, held by the Beauchamps; Aston Cantlow, held by the Nevilles; and Bishop's Hampden, held by the Bishop of Worcester. In 1549 Bishop Nicholas Heath was driven, for inadequate compensation, to transfer his two manors—Stratford and Bishop's Hampden—to John Dudley, Earl of Warwick, afterward Duke of Northumberland, who tried to restore the old domination of the Beauchamps and the Nevilles. Stratford-upon-Avon, the largest town among these several manors, was the natural market center for them all.

Evidence of medieval church influence is seen on consulting the 1603 and 1610 maps of Warwickshire, and in the many churches and literally scores of chapels scattered throughout the country. The ecclesiastical see of Worcester had been founded in 679. All the Hwicca tribes contributed to the Bishop's diocese. Almost at every turn there was a different parish and a different parish church or highly local chapel. Coventry, too, was well known as a religious center. Indeed, the entire Midland country was active in religion. In time Protestantism developed in Warwickshire, which finally became the center and hotbed of Puritanism. The "Marprelate Tracts" were conceived of and published in Warwickshire. John Whitgift, disciplinarian par excellence, was made Bishop of Worcester especially with a view to quelling Puritan activities in the Midland counties. Gunpowder Plot activities, too, were not wholly removed from Warwickshire.

Thus, in Shakespeare's day, Warwickshire was an interesting complexity of some still remaining local Roman roads, of Anglo-Saxon "hundreds," of Norman manors and lords of the manors, and of the medieval church with its many churches, chapels, bishops, and priests. In Stratford itself there was the additional local government of the Gild and then of the Corporation (after 1553). In matters ecclesiastical Stratford and Warwickshire looked to

Worcester. In matters political they looked to the Earls of Warwick and Leicester, to the Cloptons, the Lucys, and others. These not infrequently divided on both religious and political matters, in ways, too, that often affected Stratford citizens. That Warwickshire had its connections also with the crown was shown by the number of deer parks or other warrens; these were established by Royal Patents only, indicated by the large circle enclosures on the maps of 1603 and 1610. It may be noted that no such deer park or other warren was indicated on these maps as being either at Charlecote or at Fulbrook, so intimately connected with the eighteenth-century tradition of Shakespeare's having poached deer from Sir Thomas Lucy.¹

Stratford-upon-Avon aside, Warwick, Coventry, and Kenilworth were the important and most interesting places in Warwickshire in the great dramatist's time. Each merits a special note.

Warwick. Warwick (variously spelled "Warwic," "Warrewici," "Warrewyk"), the capital of Warwickshire, some ten miles northeast of Stratford, was an ancient place later fortified by Ethelflaed against the Danes. The *Domesday Book* listed Warwick as a royal borough enjoying the privileges granted it by Edward the Confessor. William the Conqueror definitely granted the borough to Henry of Newburgh and recognized him as the Earl of Warwick, though there appear to have been *earls* of Warwick as early as the time of Alfred the Great. The Beauchamps succeeded Henry of Newburgh. Earls of Warwick were always powerful factors, and not infrequently they suffered attain. In Shakespeare's day the powerful Dudleys were the Earls of Warwick and Leicester. The population of Warwick is now about 15,000. It is difficult to say what

its population was in Shakespeare's day.

The ancient Castle of Warwick stood conspicuously and all but impregnable on a rock above the river. Ruined fourteenth-century towers and some parts of its mighty walls remain today. For medieval, frowning-fortress effect and for Elizabethan timbered houses, few towns in England can show as much as Warwick. William the Conqueror, to whom Warwickshire offered little resistance, was at Warwick in 1068. For his amazingly effective descriptions of ivy-covered tower and frowning parapet, William Shakespeare did not need to go beyond Warwickshire.

Coventry. Coventry ("Coventreu" or "Coventre"), the spelling of which indicates its ecclesiastical (convent) origin, owed its existence to the foundation, more than twenty miles northeast of Stratford-upon-Avon, of a Benedictine monastery by Earl Leofric and his wife Godyfu (Lady Godiva ?) in 1043. Today it is the metropolis of Warwickshire, having approximately 130,000 inhabitants; but in Shakespeare's time it lacked the dignity of Warwick, Stratford-upon-Avon, and other older Warwickshire towns and hamlets. Aside from Worcester (the seat of the cathedral of the diocese), Coventry exercised the most influence in religious matters in Shakespeare's day; not only was it a leader in religious thought, but at Coventry, more often than at any other place in Warwickshire, plays were performed. Traveling dramatic companies to and from Coventry out of London not infrequently stopped at Stratford, according to the Corporation minutes. As early as 1216, Coventry was important for its trade in wool, cloth, and caps. Its gilds were especially numerous. Coventry became one of the most influential strongholds of Puritanism, more than one of its important prelates suffering martyrdom.

Kenilworth. Kenilworth (spelled "Clinewarde," "Kenillewarde," "Kinelingworthe," "Killingworth," "Kenilord," uncertain as to its original meaning) was a market town, in northern Warwickshire on the Avon not far

¹ The satirical ballad concerning Sir Thomas Lucy, long attributed to Shakespeare, is quite definitely established to be a forgery by one John Jordan. The original manuscript of this Jordan version of the ballad is in the Free Public Library at Birmingham, northwest of Warwick. For recent interpretations of the deer-stealing episode and its consequences, see J. Leslie Hotson, *Shakespeare versus Shallow* (1931) and E. K. Chambers, *William Shakespeare* (1930, I, 18-21). See also chapter IX, below.

southwest of Coventry. Its chief interest in Elizabethan times was as the home of the Earl of Leicester. Its chief interest now, a town with a population of some 7,000, is the ruined Kenilworth Castle. Originally the castle walls enclosed seven acres. Some of those walls were sixteen feet thick. It was here in 1572 that the Earl of Leicester lavishly entertained Queen Elizabeth, who by visiting Warwickshire at the time offered bold opposition to the Puritanism which flourished in that county. Kenilworth appears to have been a part of Stoneleigh before the Norman Conquest, when it was a possession of Saxon kings. Henry I granted the town to Geoffrey de Clinton, a Norman, who erected the great castle. Henry III granted it to Simon de Montfort, Earl of Leicester. In 1562 Elizabeth granted it to Robert Dudley, afterward Earl of Leicester.

Stratford-upon-Avon. Stratford-upon-Avon, the poet's birthplace, in southern Warwickshire, was the chief central market town for the surrounding territory and hamlets. Each of these hamlets or other points of interest merits an individual note. They are here considered in their relation to Stratford-upon-Avon and not to William Shakespeare.

Clifford Chambers. About a mile and a half directly south of Stratford-upon-Avon, and over the line in Gloucestershire, was the village of Clifford Chambers, where Lord and Lady Henry Rainsford lived. Here Michael Drayton at times took refuge; his sonnet group, *Idea*, had Lady Rainsford (Anne, daughter of Sir Henry Goodyere of Polesworth) as the impelling motif. Drayton and Shakespeare were personal as well as literary acquaintances.

Bidford. This village, sometimes spelled "Biddeford," was seven and a half miles west and a little south of Stratford-upon-Avon. Thomas Badger, the miller, acquaintance of John Shakespeare, owned and operated three grange mills here. It was at Bidford that the drinking contest between Bidford tasters and William Shakespeare and his associates traditionally took place, with disastrous results to the Shakespeare group.

Luddington. Luddington was a small rural hamlet a little over two miles southwest, on the Avon, from Stratford; it was just within the Stratford parish, while Weston, about a mile farther to the southwest, was beyond the parish border. Luddington was a chapelry of the Stratford Parish Church.

Shottery. "Scottarid" was the spelling in a 704-709 Anglo-Saxon manuscript when Offa, King of Mercia, granted to the Bishop of Worcester the woods at Hnvtthyrste (Nuthurst) and Hellerslye (Allesley) in what is now Shottery, hard by the river "Afen." This little hamlet, a score of rural homesteads and cottages by a stream, was but a mile across the fields from Stratford. With Stratford it was at odds on religious matters, like Stratford it had its visitations of plague and fire. Here was Newlands, the home of Anne Hathaway—the modern Anne Hathaway Cottage. It was a double "messuage" and a "toft," with two and a half "virgates" or "yardlands" of land. It was held as a copyhold from the Lord of the Manor at a rent of 33s. 8d. per annum. The house, as now, was a double dwelling. At present it is one of the important national Shakespeare holdings, as are also New Place, Nash House, the Birthplace, and Mary Arden's cottage at Wilmcote. The Hathaways of Stratford—Richard (who was Anne's father), in particular—were friends of the Shakespeares of Stratford. There are graves of thirteen Hathaways in the Stratford Parish Church.

Temple Grafton. Nothing reliable is known of the origin of the name of this small village, which was five miles west (four miles due west of Shottery) of Stratford-upon-Avon. It has been conjectured that Anne Hathaway's mother was a native of Temple Grafton, whither Anne went to live after the death of her mother in 1563-64. The 1582 marriage license reads: "inter W^m Shaxpere et Annā whateley de Temple grafton." The old church register has never come to light: it cannot, then, be asserted that William and Anne were or were not married here in November 1582.

Alcester. Alcester (L. *castra*, "camp")

was a town of Roman origin some ten miles west and north of Stratford-upon-Avon, just about a mile from the Worcestershire boundary on the west.

Bishopton. Bishopton (Bishopstune) was a hamlet on high ground a little over a mile to the northwest of Stratford. It was a chapelry of the Stratford Parish Church. At Bishopton some parts of the Stratford Tithes purchased by Shakespeare in 1605 were located.

Wilmcote. Two and a half miles northwest of Stratford was the rural hamlet of Wilmcote, the home of Mary Arden, mother of William Shakespeare. The Mary Arden homestead, recently acquired as a part of the national holdings relating to the dramatist, has the value, perhaps, that it faces the site, on the opposite side of the road, of an ancient and much larger building, the foundation stones of which are visible in extremely dry weather and which was in all likelihood the copyhold farm of Master Robert Arden. (Both the late Edgar I. Fripp and Richard Savage supported this belief.) Wilmcote was in the parish of Aston Cantlow. When, at Park Hall (between Birmingham and Coleshill), Sir John Arden as oldest son to Walter Arden succeeded to the headship of the Arden family, his brother Thomas Arden moved to Wilmcote and established the Ardens there. This Thomas Arden was father of Robert Arden, "a gentleman of worship," and grandfather of Mary Arden, who was the mother of the great English poet. Robert Arden owned properties in Snitterfield (four miles northeast of Wilmcote), one of which was in the tenure of Richard Shakespeare, father of John Shakespeare. Asbies, Mary Arden's inheritance by her father's will, was at Wilmcote.

Aston Cantlow. Aston Cantlow was the name first of all of a parish and secondly of a rural hamlet. The hamlet was within easy walking distance to the northwest of Wilmcote. Little Alne and Wootton Wawen were in the same vicinity. Robert Arden, in November 1556, was no doubt buried in the Aston Cantlow Church, where probably soon afterward John Shakespeare married his

youngest daughter Mary. The Parish Register, however, has not come to light.

Henley-in-Arden. Henley-in-Arden, originally Henley in the Forest of Arden though in Shakespeare's day in more or less open country, was eight miles northwest of Stratford. Henley Street in Stratford was so named as a continuation of this thoroughfare into the town. It was in Wootton Parish, and was a market town of importance in its vicinity. In Stratford were conspicuous and successful family representatives whose ancestral home was Henley-in-Arden: Whateley, Wheeler, Barnhurst, Kirby, Baker, Sly, Heminges, each of whom had acquaintance with John Shakespeare. Henley-in-Arden men, like Stratford men, disregarded the Statute of Caps which was enacted to stimulate an already declining wool industry. Henley-in-Arden was Stratford's nearest rival as a market town.

Rowington. Four miles northwest, beyond Henley-in-Arden and about twelve miles from Stratford, was Rowington, a strong Catholic center. There were numerous Shakespeares in the neighborhood of Rowington, Knowle, Balsall, and Wroxall; but there is no documentary evidence definitely connecting these Shakespeares with John Shakespeare of Snitterfield.

Snitterfield. About three and one-half miles north and a little to the east of Stratford was the rural village of Snitterfield. In Shakespeare's day it was a widely scattered parish that had a manor house, a fine old church, and a variety of substantial timber farmhouses and cottages. It was the native place of Richard Shakespeare, father of John Shakespeare, who was occupying, as a tenant farmer, one of the farms owned there by Robert Arden of Wilmcote. Presumably John Shakespeare was baptized in the Snitterfield Church. Snitterfield, once a prosperous town of farmers who by 1242 had a market and a fair, had a church as early as the Norman Conquest. Its manor belonged to Bordsley, then to the Earl of Warwick, and then, in the sixteenth century, to John Hales (Puritan), founder of a free

school at Coventry. "Hales with a club foot" was the sobriquet accorded him.

Clopton. The great manor house of the influential and strongly Catholic Cloptons was about a mile and a half virtually due north of Stratford. This manor was granted in 1228 by Peter de Montfort (seemingly a relative of the Earl of Leicester who played a significant role in the reign of Henry III) to Robert or John Clopton, from whom it descended, via Thomas, to Sir Hugh Clopton, who built the Clopton Bridge and rebuilt the Clopton Gild Chapel for Stratford. Its beautifully oak-paneled dining room has interesting portraits of George Carew (Earl of Totnes) and others.

Welcombe. About a mile and a half north and east of Stratford and adjacent to the Clopton Manor House was Welcombe. Stratford, Old Stratford, Bishop-ton, and Welcombe were the locations of the Stratford Tithes which William Shakespeare purchased in 1605 for £440. Welcombe is the place where in 1614 occurred the Combe attempts to enclose the common fields, which jeopardized Shakespeare's income from the Tithes.

Ingon. About two miles north and a bit east of Stratford and about a mile south of Snitterfield was the solitary hamlet of Ingon, the home of Henry Shakespeare, uncle of William Shakespeare. Ingon was in the parish of Hampton Lucy, a hamlet about two miles east and somewhat south of Ingon. Henry Shakespeare, with his wife Margaret ("Uncle Harry" and "Aunt Margaret" to the dramatist) farmed land both at Snitterfield and at Ingon in Hampton Lucy; with parish churches in each place the Shakespeares thus had connections. The Shakespeare farm at Ingon was in part the holding of John Combe in Stratford. After Henry Shakespeare died, the farm he tenanted came to be known as "Shakespeare Close."

Bridge Town. Just across the Clopton Bridge, to the east, was Bridge Town. Nicholas Lane, old Richard Lane's son, prosperous farmer, shrewd moneylender, known as Master Nicholas Lane, who sued John Shakespeare to recover

a loan to Henry Shakespeare whose surety John was, lived in Bridge Town, though he was buried at Alveston. Bridge Town was the meeting place of the two roads from London to Stratford.

Tiddington. Less than two miles east and north, approximately halfway between Stratford and Charlecote, and half a mile from Alveston, was Tiddington in the parish of Alveston. In Shakespeare's day Tiddington was a hamlet of but a few rural cottages. The present church at Tiddington is not as early as Elizabethan times; but the ruined chancel of the old one still stands in the ancient burying ground. At few places is the Avon River more beautiful than at Tiddington.

Alveston. About two and a half miles northeast of Stratford and approximately two-thirds of the way from Stratford to Charlecote was Alveston, originally called Eanulfestun, home- stead of Eanulf, who was its tenant in 872 under Bishop Wearfirth. Alveston was the name also of a parish which adjoined Stratford parish on the left bank (south side) of the Avon. The tomb of Master Nicholas Lane (†1595) may be seen today in the church at Alveston.

Hampton Lucy. About four and a half miles east and north of Stratford, and just to the west of Charlecote Park, was the very small hamlet of Hampton Lucy. In the church there the children of Henry Shakespeare were christened. Here, too, on Easter Monday, April 2, 1537, a Protestant, two-hour sermon on the "New Learning" by Edward Large raised a storm of passion which brought the Bishop of Worcester in haste to Stratford. It precipitated a controversy over Large between the Protestant Lucys and the Catholic Cloptons which involved prominent men of Stratford. Large was sent by a jury, "without oath or witnesses," to prison.

Charlecote. Four and a half miles east and a bit north, on the old road to Warwick, was Charlecote, the seat of the great and powerful family of the Lucys. The maps of Warwickshire during the Elizabethan period do not show

any deer park at Charlecote and a search of the royal patents of the century does not reveal any royal patent to the Elizabethan Lucys for a deer park. William Shakespeare, like any other red-blooded English lad of the day, no doubt, on occasion, poached deer; but he did not steal them from any Sir Thomas Lucy deer warren.

There are few finer examples of ancestral homes in England than old, gray-red, stone Charlecote, with its magnificent park, its terraces, and its sylvan view of the river. Charlecote was mentioned in the *Domesday Book* of 1086. Except for the spacious dining room and the rare library, which were added later, the present house is much as Sir Thomas Lucy built it in 1588. No trace of the pre-Elizabethan Charlecote house remains. The great manor house was built, like many other stately edifices of the day, in the form of a large capital E. A porch, with the royal arms and E.R. carved upon it, is said to have been added in 1575 when Queen Elizabeth, on her way to the Earl of Leicester's famed entertainment for her at Kenilworth, breakfasted at Charlecote. The Great Hall with its interesting gallery of notable portraits, and the dining room with its suite of solid ebony furniture inlaid with ivory which Robert Dudley, Earl of Leicester, presented to Queen Elizabeth in 1575, also the gatehouse, etc., are among England's architectural treasures. The Charlecote estates have been in the possession of the present family since 1189; it was in 1216 that William, son of Walter de Charlecote, assumed the name Lucy. William de Charlecote fought with the Barons against King John. Sir Thomas Lucy, whose wife was Joyce Acton, died in 1600. Sir Thomas the second died in 1605. A third Sir Thomas, the first Lucy in a hundred years to have a deer park, died in 1640. The Lucy coat of arms bore three lucas or pikes. The Lucy effigies are today in the Charlecote Church.

Fulbrook. Nearly three miles north of Charlecote was Fulbrook. When it was found that Sir Thomas had no deer park, Shakespeare was said to have done

his poaching at Fulbrook. But the maps of Warwick of the period (1603, 1610) do not show any deer park at Fulbrook either.

Barton-on-the-Heath. On the farthest southern edge of the county of Warwick, at its junction with Worcestershire, Gloucestershire, and Oxfordshire, fifteen miles south of Stratford, the hamlet Barton-on-the-Heath was situated. In a wild spot, removed from habitation, on a barren heath, Barton-on-the-Heath was the home of the Lamberts. Edmund Lambert, of this wealthy and influential family, married Joan Arden, older sister of Mary Arden, who was the youngest of the Arden eight daughters. It is highly probable that Joan Arden-Lambert was godmother to John Shakespeare and Mary Arden's first-born child Joan, who died in infancy.

In wealth of ancient historical lore from Celt and Saxon days, in variety and interest of local traditions, in the very complexity and intensity of contemporary social-political-religious activities of the period, few localities of Elizabethan England proffered more than did Warwickshire. The Clotons, Lucys, Grevilles, Beauchamps, Nevilles, and Dudleys (the very powerful Earls of Warwick and Leicester) were local figures very definitely in the public eye. The Forest of Arden, Welcombe Hills, Charlecote Park, the Avon River, all then, as now, were things that impressed. Finally, Kenilworth, Coventry, and Warwick were ideal and potential for poetry and for drama. Even a casual reading of Shakespeare's plays reveals the presence of their mood, tone, and spirit, even some of their details.

It was with pardonable pride that Michael Drayton, a native of Stratford and poet laureate, declared that Warwickshire was the "heart of England." His own *Poly-Olbion* (1612) exemplifies his devotion to his native shire.

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IX

STRATFORD-UPON-AVON IN ELIZABETHAN TIMES

DURING the general period in English history when Wycliffe labored, when Sir Thomas More and Erasmus were men of wisdom, when Sir Thomas Elyot wrote *The Governour*, when Wyatt and Surrey introduced sonnets into England, when William Tyndale was a controversialist and the translator of the New Testament, when Roger Ascham was a renowned schoolmaster, and when Henry VII and Henry VIII were making England independent of Continental and Romanist control, John Leland, a man of more than common parts, was officially gathering, by traveling from one end of the land to the other, the materials which he himself identified as "a description . . . of your realme yn writing." By 1542-43 his travels were completed. The entire manuscript he presented to the King as a New Year's gift. In 1552 he died. All his property had been put into the care of his older brother, also named John.

Leland had been born about 1505, of parents about whom virtually nothing is known; had attended St. Paul's School, over which William Lilly presided; became Bachelor of Arts at Cambridge in 1522; was at Oxford; was at Paris; and he was a good Latin poet and knew his Greek. In 1528 Henry VII granted him a small exhibition as a New Year's gift; in 1530 Henry VIII made him Keeper of Libraries. On the occasion of Anne Boleyn's coronation in 1533 both he and Nicholas Udall, the famous schoolmaster, wrote Latin poems. In 1533, Leland, who took priest's orders in 1534, had seen the last of papal rule in England and the consequent dissolution of religious houses. In 1537, on January 25, he wrote to Thomas Cromwell requesting him to release from prison John Bale, Leland's acquaintance.

Both Bale and Leland were patriotically desirous of preserving Old English chronicles; in 1533 Henry VIII had commanded Leland to search the libraries and monasteries for monuments of ancient writers. He thus made many expensive journeys throughout the realm, the results of which were relatively small in the form of "ancient writers" but correspondingly large and significant in the form of his collection of information in manuscript, the major portion of which finally reached the Bodleian and the British Museum, where trained scholars may today examine it. Bodleian's rare possession is MS Gen Top. c 8-15. John Stow's manuscript copy, freely handled by Bale, Camden, Dugdale, and others who left evidences on the manuscript—Stow called it "Comentaria Anglia"—preserves it in its best form.

A. Leland's work was published in 1549 with the title, *The Laboryouse Journey & Serche of J. Lelande for Englandes Antiquities, Geuen of Hym as a Neue Yeares Gysse to Kynge Henry the viii, with declaracyons Enlarged: by J. Bale, 1549*. In 1710-12 a nine-volume edition of one hundred twenty copies edited by Thomas Hearne was printed; 1745 and 1768-69 saw second and third editions. In 1907, Lucy Toulmin Smith edited critically a five-volume edition (*The Itinerary . . .*) that handsomely serves modern scholarship.

Harrison's "Description of England" (1577), John Stow's *Annales* (published in 1592), Camden's *Remaines* (1605), and Dugdale's *Antiquities of Warwickshire* (1656) are well-known encyclopedic collections and digests of materials concerning ancient Britain. John Leland's "Itinerary" (completed in manuscript by 1543) is, however, the earliest encyclopedic description of the realm undertaken on so varied and so

complete a plan. It is from "Warwicks" in Leland's manuscript that one derives the description of the Stratford which Shakespeare knew. The Clopton Bridge, the Gild Chapel, the Stratford annual Fair, the Stratford streets, the Parish Church, the College, the Grammar School, the Almshouse, and New Place are all included. The material is in the form of local "notes," is not well organized, and is sometimes inaccurate, though, in the main, modern research has found it reliable.

The passages under "Warwicks" and "Warwickshire" in the *Itinerary* (II, 27-28, 48-50, Toulmin Smith edition) merit critical reading and are here given *in extenso*:

The toune of Strateford is apou Avon ryver in ripa ulter, as men cum from London to it, and stondith juste vii. [myles] above Eovesham, and then 2. miles to Warwick apou Avon.

The bridge ther of late tyme was very smaulle and ille, and at hygh waters very harde to passe by. Wherapon in tyme of mynde one Clopton, a great rich marchant, and Mayr of London, as I remember, borne about Strateforde, having never wife nor children convertid a great peace of his substance in good workes in Stratford, first making a sumptuous new bridge and large of stone, wher in the middle be a vi. great arches for the maine streame of Avon, and at eche certen smaull arches to bere the causey, and so to passe commodiously at such tymes as the ryver risith.

The same Clopton made in the middle of the towne a right fair and large chapelle, enduing it with 50. li. lande, as I hard say, by the yere, wher as v. prestes doth syng. And to this chapel longgith a solemne fraternite. And at suche tyme as needeth, the goodes of this fraternite helpith the commune charges of the towne in tyme of necessite.

The fair that longith to Stratford is a thing of a very great concourse of people for a 2. or 3. dayes.

Here marke that Twekesbyri, Persore, Eovesham, . . . Stratford and Warwick stande al on the farther ripe of Avon river.

There is one Clopton a man of fair landes that dwellith by Strateforde apon Avon, and of likelihod much set up by Clopton Mair of London.

The towne of Stratford stondithe apon a playne ground on the right hand or ripe of Avon, as the watar descendithe. It hathe 2. or 3. very lardge stretes, besyde bake lanes. One of the principall stretes ledithe from est to west, another from southe to northe. The bysshope of Worcester is lorde of the towne. The towne is reasonably well buyldyd of tymbar. There is ones a yere a great fayre at Holy-Rode Daye [14. of Sept.] The paroch church is a fayre large peace of worke, and stondithe at the southe end of the towne. Some conjecte that where the parochie church is now was the monasterye cawlyd Streotford, gyven in augmentation of Eovesham in St. Egwin Byshope of Wircester tyme, but the certeinte of this is not knowne.

The church [of Stratford] now stondinge, as it is supposyd, was renewyd in buildinge by [John de] Streotforde [Arch] byshope of Cantarbery [in the begininge of the raigne of K.E. 3., whoe was] borne in Streotford, whereof he tooke his name. He made this of a simple parochie church a collegiate church, augmenting it with some landes.

Ther belongyd to the coledge a gardian, 4. priests, 3. clerkes, 4. choristres, and their mansyon place, an ancient pece of worke of square stone hard by the cemetery. The church is dedicate to the Trinite. The quire of the church was of late tyme reedified by one Thomas Balsalle Doctor of Divinite and gardian of the coladge there. He died *anno domini* 1490, and liethe in the northe syd of the presbiterie [in a fayre tombe.]

There is a right goodly chappell in a faire strete toward the southe ende of the towne dedicate to the Trinite. This chappell was newly reedified in mind of man by one Hughe Clopton, Major of London. About the body of this chapele was curiously paynted the Daunce of Deathe commonly called the Daunce of Powles, because the same was sometyme there paynted abowte the cloysters on the north-west syd of Powles church, pulled downe by the Duke of Somarset, *tempore* E. 6.¹

This Clopton buildid also by the north syde of this chapell a praty howse [New Place purchased by William Shakespeare in 1597] of brike and tymbar, wherein he lay in his lattar dayes and dyed.

There is a gramar-schole on the sowthe syde of this chapell, of the foundation of one Iolif a mastar of arte, borne in Streotford, whereabout he had some patrimonye; and that he gave to this schole.

Afore the tyme of Hughe Clopton there was but a poore bridge of tymber, and no causey to come to it; whereby many poore folkys [and] othar refusyd to cum to Stratford, when Avon was up, or cominge thithar stode in jeoperdy of lyfe.

Clopton was a gentle man borne by Stratford at Clopton village, where yet one of the name, whos howse he moche advaunsyd, dwellythe halfe a myle of Streot-

[DOCUMENT 36]

[PRESENTMENT DEFINING THE BOUNDARIES OF
STRATFORD-UPON-AVON, 1591]

A psentm^t made att A leete there holden the vij^o
Stretford Burgus daye of Aprill Anno xxxiiij^o Elizabeth Regina by
the ¶sons underwritten

| | | |
|-------------------------|-------------------------------|-----------------------------|
| Thomas Rogers | Edrus Bushell | Ric ^{us} waterman |
| Iohes Gybbes | willus Biddle | Iohes Smythe Baker |
| Henricus wilson | Iur Thom ^s Goodwin | Iur Ric ^{us} Pinke |
| Ric ^{us} Ainge | Phus Greene | Iacobus Elliottes |
| Iohes Sadler | willus Rawson | Iohes kniight |
| Robtus Biddle | | |

Wee Doe Present the Liberties of this Borough to stretch
from the further end of the Stone Bridge, & soe from thence
through the Gild Pittes to the gutter, & soe vp the highe
waye to the Elme* att the Dovehouse Closse end, And

* Halliwell-Phillipps' (?) footnote in the left margin says this venerable and once noble elm which stood on the bank between the Turnpike Road and the footpath leading to Birmingham, just beyond the lane to Clopton, was cut down, by order of the Corporation, Thursday, November 11, 1847.

There is also an almase-house of 10. pore folke at the southe syde of the chapell of the Trinite mayntaynd by a Fraternitie of the Holy Crosse.

Clopton aforesayde made also the great and sumptuose bridge apon Avon at the este end of the towne. This bridge [hath] 14. great archis of stone, and a longe cawsey made of stone and now waullyd on eche syde at the west end of the bridge.

¹"About — E. 6. This paragraph was added later," writes Toulmin Smith, "probably by Stow himself."

ford by northe. This Hewghe Clopton was nevar weddid.

B. Folger MS 445, folio 3, is a Presentment, issued by the Corporation of Stratford-upon-Avon, dated April 7, 33 Elizabeth (1591), which definitely identifies the boundary lines of the borough. The manuscript is on paper 8 by 7½ inches and has been folded lengthwise to the right of the center. The document is in excellent preserva-

tion. Charles Knight, in his *William Shakespeare; a Biography* (1843), made use of this manuscript, at that time in the possession of R. B. Wheler. It came into the possession of Halliwell-Philipp, who describes it in his *A Calendar of Shakespearean Rarities* as No. 222. It is now in the Folger Shakespeare Library.

ough. This transcript (Document 36) is direct from the original document.

Recent archaeological excavations in the immediate vicinity of Stratford-upon-Avon may boast existence continuously from Roman times. To Mr. Frederick C. Wellstood, Secretary of the Birthplace Museum, belongs the credit

which place, on the east bank, converged two Roman roads from London and one from Tiddington.

The district about Stratford was covered with dense forests; but its abundance of natural fuel and its accessibility by a ford on the river combined to make it the seat of an early Roman settlement. The Roman road from Alcester forded the Avon on its way to join the Roman arterial road, the great Fosse Way, at Ettington. The excavations at Stratford show that the Roman activities at that point were essentially industrial. Kilns, flues, water channels, and other such remains show that the trade of manufacturing Roman tiles and rough pottery was in operation there. At Tiddington, just northeast of Stratford, were pottery, lead, and iron works. Across the road west from these works was an ancient burial ground, the numerous skeletons of which suggest a high mortality from the poisonous fumes among the workers in lead. The extant quantity of red-glazed Samian pottery (*terra sigillata*), wholly of Continental origin, shows the Roman-British connection with the territory across the English Channel. Local pottery was a much coarser and much inferior product. At least one piece excavated bears the stamp of Biragillus of Bannassac, A.D. 70-90, South Gaul. This date and other historical evidence suggest Roman occupation of Stratford under one or more of the following early Roman governors: Aulus Plautius, A.D. 43-47; Ostorius Scapula, A.D. 47-51; Didius Gallus, A.D. 51-57; Veranius Nepos, A.D. 57-58; and Suetonius Paulinus, A.D. 58-61, the Roman governor who quelled the revolt of the British Queen Boadicea in her fierce onslaught against the Romans. Northwest from Tiddington was Welcombe Hills, an ancient British camp from which the Celts fought the invading Anglo-Saxons.

It is very probable that Roman Stratford followed the general breakdown of Roman occupation of the whole of England. In A.D. 122 Emperor Hadrian had built the great defensive Hadrian Wall between Scotland and England. The mid-castles of this wall were abandoned in 330, and in 383 the entire wall

from the same Elme to the twoe Elmes in Evesham ~
 highe waye, And from those twoe Elmes Downe ~
 betwixte twoe Closses, the one called the Samon taylor,
 [t ?]
 & the other the Samon Iole, and from the Samon ~
 Iole to the furthest end of m^r Quayneys Closse
 adioyninge to the farme, And from m^r Quayneys Closse
 Downe A little Lane betweene willm Smythes Closse
 and Sheffeyldes Closse to the Colledge Mudwall, And
 soe Alonge the Butlane to Iohn Smythes Barne
 & from thence Alonge the Colledge Mudwall to the
 furth^r side of the towne grounde w^{ch} m^r Clopton ~
 holdeth, And from the furth^r side of the towne ~
 grounde to the head of m^r Cawdreyes Orchard,
 & from thence to the Mudwall of the Chapple ~
 Orcharde, And from thence to the Elme att Thoms
 Taylors Barne end And from Thomas Taylors ~
 Barne vpp the Bancrofte to the Bridge, And
 thees Are the Lymittes of thys Boroughe of Stretford.

Clearly and definitely, this document establishes the boundaries of Stratford borough (as distinguished from Stratford parish and Stratford manor as may be seen from the map of Stratford-upon-Avon especially prepared from old records and included in this present work (p. 110). The judges ("Iur" in the manuscript means "Iurator" or Judge of the Leet) were prominent men in Stratford of 1591. Thomas Rogers, John Sadler, Richard Ainge, and others were familiar personages in the bor-

ough of having pushed the frontiers of Stratford's history back to the period of antiquity. The materials brought to light by the excavations now may be examined at Birthplace Museum, where they have been deposited.

Ancient Roman Stratford centered around a ford on the Avon, apparently very near the present location of the old Clopton Bridge, to which point, on the west bank, converged Roman roads from Alcester (Alauna), Warwick, and the Henley-in-Arden district, and to

was abandoned. In 395 the Yorkshire signal stations were destroyed. In 410 Honorius told the local Britons to organize their own defense. In 447-449 Hengist and Horsa from the Continent landed in England. In 476, the Vandal hordes from the north sacked Rome itself. Roman occupation and domination of England now became definitely a thing of the past. Stratford, in its somewhat inland and isolated location, was one of the last places to experience the Saxon onslaught. However, ancient Rome left but little linguistic-religious-political effect in England. It was a Romanized Christian Church that later influenced the Saxons who had come into the country in 447-49 and after. A simplified map of Roman Stratford may not be unwelcome to the reader.

"Carnavii" was the name the Romans applied to the inhabitants of the country. And while Stratford-on-Avon had its Roman occupation, it was not on one of the main arteries of Roman travel. The great Roman thoroughfare was that still known today to be the street "Icknield" in Birmingham. The old Roman road, Ryknield Street, which ran from Tynemouth in Northumberland, through York, Derby, and Birmingham to St. David's, skirted the Forest of Arden on the west, passed through Stadley and Alcester, and left Warwickshire about five miles below Stratford by way of Bidford. The fairly long and straight streets—long and straight for a rural town of its kind—of Stratford-on-Avon suggest that perhaps some of them, in Shakespeare's day, were on the lines of the old Roman local roads. These long, straight roads and streets were mentioned in the time of Edward II.

That there was early Anglo-Saxon activity in Stratford-upon-Avon, after the Roman occupation, is evidenced by documents of the period which show the presence of a Saxon monastery, or at least some sort of religious foundation, at that point on the Avon.

1. The earliest record to come to light is an Anglo-Saxon charter or grant, though its genuineness has been seriously questioned, whereby Ethelred, King of the Mercians, granted to Oftfor,

Bishop of Worcester, certain lands at Fladenburg (Fladbury). From an endorsement added to this charter in the year 692, when Oftfor died, one gathers the information that Bishop Ecguine, successor to Oftfor in the see, granted it in exchange to Etholheard, one of the sons of Oshue, King of the Hwiccas, in return for sufficient land to support twenty families in the place called Aet-Stretford. This meant that Ecguine exchanged forty-three *manents* in return for twenty *manents* (20 *carucates* of the earlier document = 20 *manents* = the later hide). The Bishop actually did not lose by the transaction, for his land was obtained forever—"in *elemosinam sempiternam*." Etholheard's three brothers, Ethelbert, Ethelric, and Ethelward, and the Abbot Omohixg witnessed the charter.² The "*sempiternam*" did not obtain after the Reformation set it aside.

2. A second documentary evidence of a Saxon Church property on the Avon at Stratford is a charter made between 704 and 709, when Offa, then King of Mercia, granted to the Bishop of Worcester the woods of Hnvtlyrste (Nuthurst) and Hellerslye (Allesley) in the place which at that time was called Scottarid (Shottery) hard by the river called "Afen."

3. A third bit of documentary evidence is genuinely reliable: it has never been questioned. In 845, Berhtuunlf, King of the Mercians, in a charter dated at Tomeuordic, on the Nativity of Our Lord, granted, in confirmation to Heabehrt, Bishop of Worcester, rather extensive privileges for the monks of Ufera Stret Ford, which was situated on the banks of Eofene. The special privileges of the charter read like those granted to a monastery: the monks were to be free forever from all bondage and service; they were to be free of all taxes and imposts; they were not to be required to provide refreshments for any king or noble, even if there was hunting or hawking. These special privileges were to be theirs "so long as the Christian Faith shall last among the Angles in

Britain." Henry VIII, in the activities incident to the dissolution of the monasteries, automatically annulled these privileges and thus deprived the see of Worcester of many a fair acre.

4. In 872, by a lease, Weyfyrd, Bishop of Worcester, granted to Eanwulf, a favored thegn of the King, a bit of land at Hnvtlyrste for four "lives," with rever-sionary interests in favor of the monastery of Straetforde.⁴ This lease suggests, then, that the land granted in 704-709 by Offa to the Bishop of Worcester was in reality a parcel of the possessions (granted in 845) in Stratford.

5. One last document—Harleian MS 4010, folio 67, on the authority of an escheat 37 Henry III (*ca.* 1253)—has the entry: "Matilda, sometime Queen of England, made the bridge at Stratford because she was immersed in her transit there, and to the repair of the said bridge she assigned a certain meadow which the Abbot of Stratford held." This manuscript entry is the earliest known mention of the Stratford bridge across the Avon. Likewise this manuscript entry is the last known reference to the Saxon Abbey at Stratford, the religious foundation mentioned in the charter of 845. Obviously the Abbey in the time of Queen Matilda had fallen so low as to allow appropriation of its property to other uses.

With the failure of the Saxon charters there follows a long break in the history of religious houses in Stratford. The *Domesday Book*⁶ of 1086 does not mention any monastery at Stratford. It does say, however, that the Bishop of Worcester had here "in demesne two carucates with twenty-one villains and a priest." In Leland's time (1535-43), the rumor was that the present Parish Church in Stratford-upon-Avon stood on the very site occupied in the earlier centuries by the Saxon monastery. Not a single known relic, archaeological or ecclesiastical, of the Saxon monastery is known. And no part of the present church is ar-

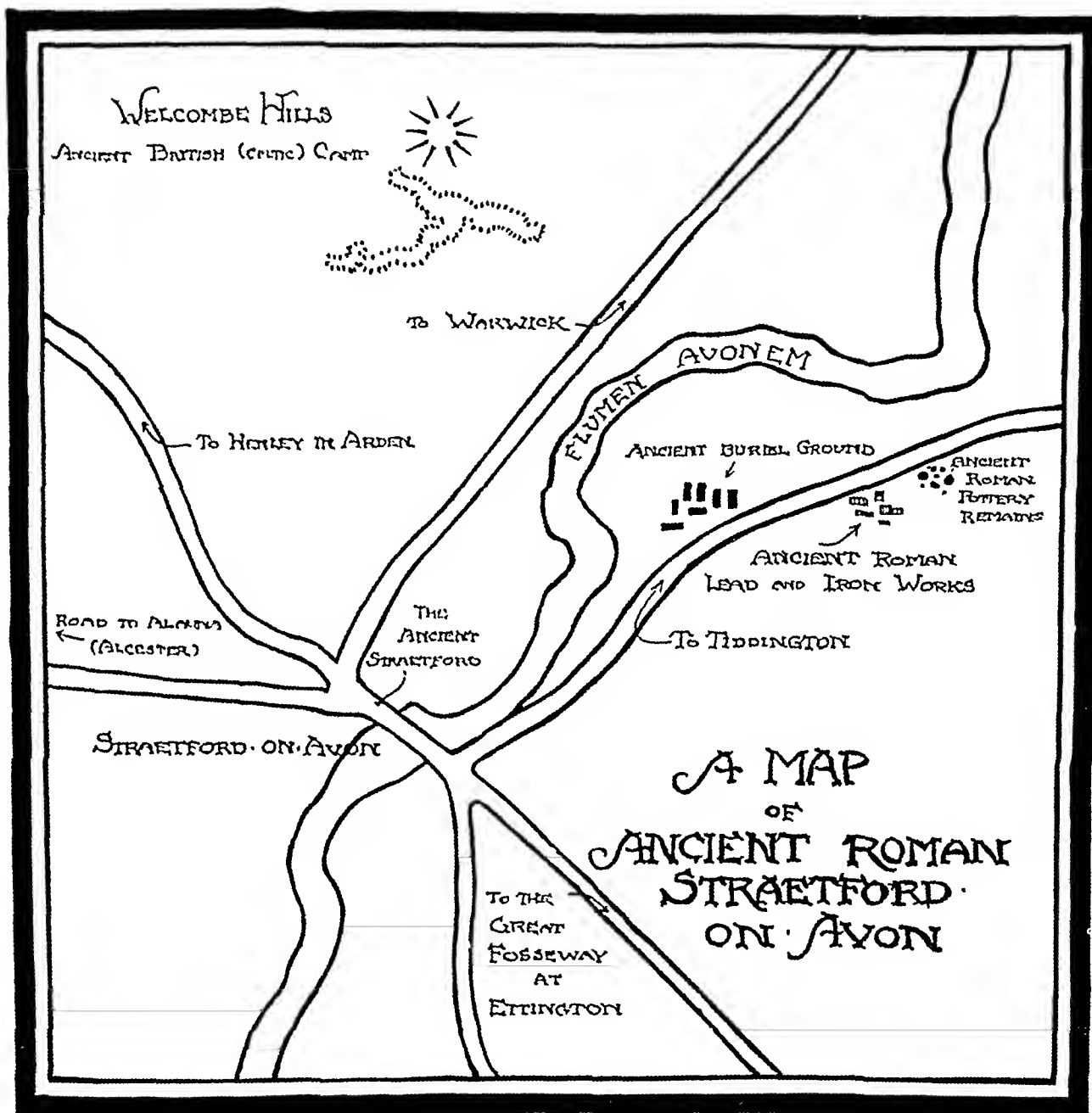
² Birch, *Cartularium Saxonicum*, I, 149.

³ A marginal note in English on this document asserts that it was stolen in 1573 by Lawrence Holingshead.

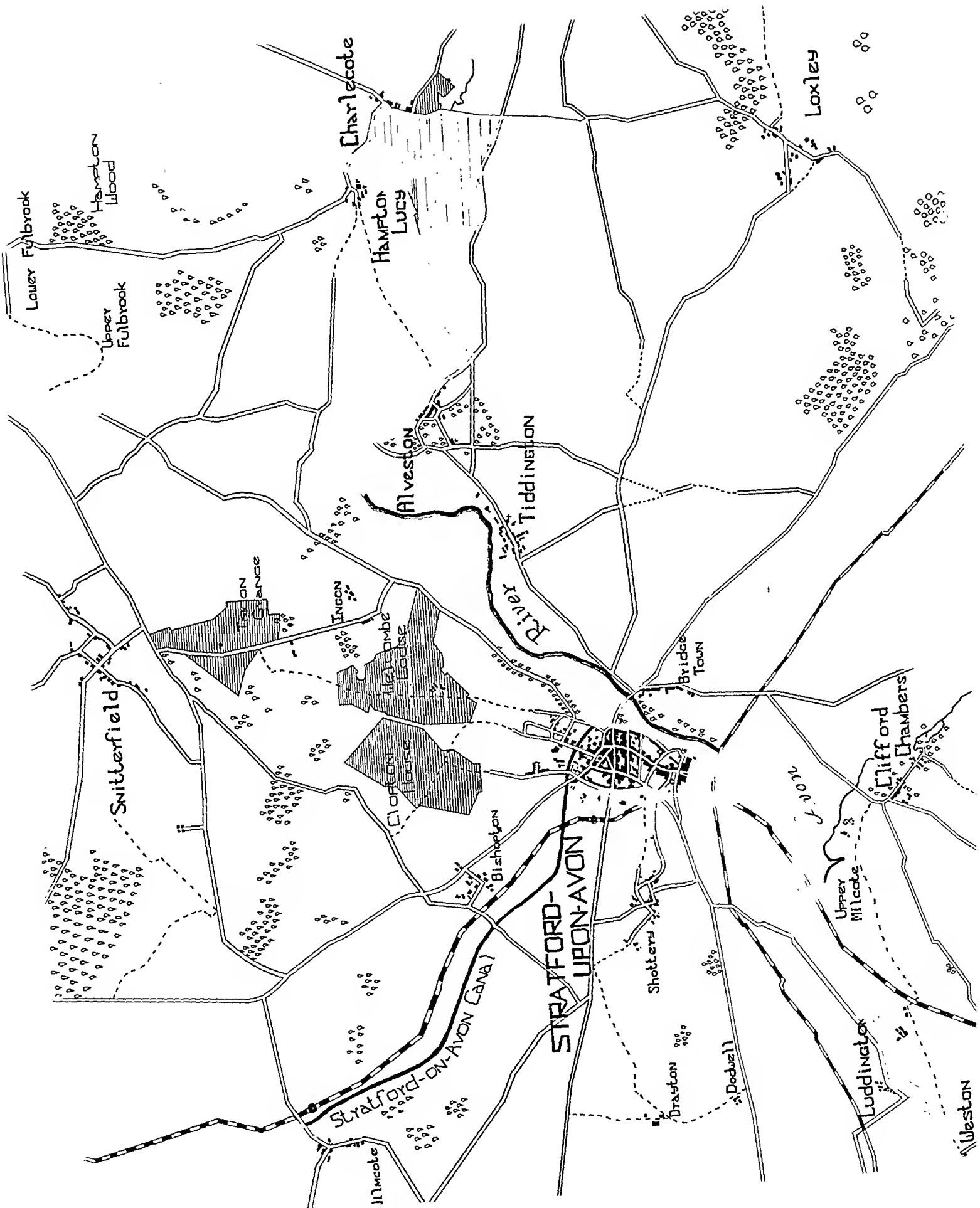
⁴ The original manuscript is in the Public Record Office, London.

⁵ Walter de Gray Birch, *Cartularium Saxonicum*, 1883-99, I, 111.

⁶ *Ibid.*, I, 179.



A simplified map of ancient Roman "Straetford on Avon"



chitecturally earlier than the thirteenth century. Of course, no scientific archaeological explorations have ever been made under the foundations of the present church. In the light of the present evidence, it cannot be asserted that the Parish Church is or is not on the site of the old Saxon monastery. On the other hand, it is clear from the documents that some sort of Saxon religious house was at Stratford on the Avon. Research in the field of Christian church foundations shows that often a present-day edifice was built upon an earlier medieval foundation, the medieval was erected on an earlier Norman one, the Norman one was superimposed on a still earlier Saxon one, and the Saxon one was set up on a very early pagan Celtic altar. The Stratford Church may possibly have just such a history.

But the Stratford-upon-Avon of Shakespeare's day was in every way distinctively medieval. As a rural town, it had not kept pace with the general Renaissance advance of the nation as a whole, though the nation itself had not responded as fully to the Renaissance as had much of the Continent. Manor, Parish, and Gild were still the religious-political-social motive forces in the community.

The Borough of Stratford, the Manor of Stratford, and the Parish of Stratford were three different territorial units which must not be confused: (a) The Borough of Stratford was brought into existence in 1195-1198 by Bishop de Coutances. (b) His demesne at the ford on the Avon was laid out in one-fourth-acre lots of uniform frontage and depth. (c) To the rear of these lots were "closes" of elms and of gardens. (d) They were held by the tenants as burgages, virtually as freehold tenures subject to a shilling rent per annum. (e) There were rights of division of lots and also right of disposition by sale or by will. (f) The burgesses in that early day chose their own Bailiff and sub-Bailiffs as executive officers, and this long before Bailiffs were allowed by the first Stratford-upon-Avon Charter of 1553. (g) The borough had a separate Manor Court, which sat twice a year at Easter

and Michaelmas, appointed its own officers, was presided over by the Bishop's steward, had jurisdiction in matters of debt, trespass, and so on, had assizes of "food" and "drink," made the bylaws for their civil conduct, and imposed fines by the conventional view of frank pledge. (h) Within this borough before the Charter of 1553 the Stratford Gild of the Holy Cross actually was in virtual control of affairs. (i) In 1553 the Charter of the Corporation of Stratford-upon-Avon took over the borough affairs and was organized much after the fashion of the previous Gild which had been dissolved in 1547. (j) The Charter of 1610 enlarged the activities and powers of the borough; but it was not until the Charter of 1674 that the Borough of Stratford had full local government free from the Lord of the Manor and free from the Bishop of Worcester and had its completely independent Mayor and Corporation.

The Manor of Stratford^{*} was, of course, a much larger territorial expanse than the Borough of Stratford; within it the borough was located. (a) The Manor was owned by the Bishop of Worcester, who owned also Bishop's Hampton. (b) Until 1549 the Bishop of Worcester, then, was also the Lord of this Manor; that is, the local religious diocesan government and the local civil government were virtually under the one and same head. (c) In 1549, because of lack of adequate income, Bishop Nicholas Heath was obliged to transfer the Stratford Manor and Bishop's Hampton to John Dudley, Earl of Warwick, one of Edward VI's protectors. Later he became the Duke of Northumberland. He was Lord of the Manor but a short time, for in 1549, with the change in the Crown, it passed from him. (d) In 1553, with the accession of Philip and Mary, the Manor passed back to the Earl of Warwick. Again he held it but a short time, for in 1553 he was attainted for attempting to set his daughter-in-law, Lady Jane Grey, on the throne in place of Mary and on the scaffold he paid the

price of his endeavors. (e) Mary graciously granted the Manor to the Duchess of Warwick, his wife. (f) In 1553, on the Duchess' death, Mary granted it to the hospital of Savoy; but it reverted almost immediately to the Crown. (g) In 1562 Elizabeth granted the Manor to Ambrose Dudley, son of the late attainted John Dudley. (h) In 1590, on Ambrose's death, the Manor again reverted to the Crown. (i) In 1590-91 it was bought by Sir Edward Greville of Milcote, who became an unpopular extortionate Lord of the Manor; and Richard Quiney, in 1598, struggled for the Corporation's rights against Greville. (j) The Charter of 1553 went far to reduce the power and influence of both the Lord of the Manor and the Manor Court.

The Parish of Stratford was, of course, the ecclesiastical unit under the jurisdiction of the Bishop of Worcester. (a) It was a rather large parish (much larger than the Stratford Manor) as local parishes went at that time. (b) It had a territorial circuit of some ten miles. (c) In 1546 its population was about 1,500, and in Shakespeare's time it had some 3,000 souls. (d) The Parish Church was located at Stratford-upon-Avon but outside the borough boundary (to the south and on the west bank of Avon). (e) Old Town, the oldest part of Stratford-upon-Avon, was midway between the Parish Church and the newer part of the town as defined by the borough boundary. Stratford-upon-Avon more than once experienced a conflict of authority and influence on the part of the Bishop of Worcester, the Lord of the Manor, and the local Gild (the Corporation after 1553). John and William Shakespeare were residents of Stratford during the period that Warwickshire was active in passing, with the nation, from Catholicism to Protestantism and then to militant Puritanism. In the County of Warwickshire, Coventry was a city, Warwick was a borough, and Stratford-upon-Avon was a rural market town that did not become a borough until 1553.

The Stratford Gild—not the Parish Church of Stratford Parish—with its

^{*}It should be remembered that, in the vicinity of Stratford, there were many manors; see chapter viii, p. 94, for a list.

Gild Chapel, Gild Hall, Grammar School, and Almshouse, was the very center of the medieval life of Stratford-upon-Avon. Its general history is fairly well determined: (a) Officially it was known as the Gild of the Holy Cross; yet before 1298 it was sometimes known as the Gild of the Holy Virgin and as the Gild of St. John the Baptist. Thus, in its earlier existence it may have been the union of some three or more smaller gilds. (b) The date of its actual foundation is not known; yet it was in existence as early as King John. (c) In 1296 Robert de Stratford (Bishop of Chichester in 1337-1362, and twice Lord High Chancellor of England) founded the Gild Chapel and became its first master. (d) A 1389 deed has the passage: "... as to the source of foundation and beginning and continuation of this Guild, the Guild has lasted and its beginning was from the time whereunto the memory of man reacheth not, and there are and always have been two Wardens of the Guild, who are bound to manage and gather in all the profits of the houses and rents belonging to the Guild, rendering an account thereof to the brethern and sistern of the Guild." (e) Gilds may be traced back to Anglo-Saxon times, but Stratford's Gild of the Holy Cross cannot at present be traced to any such antiquity. (f) In 1332 Edward III granted a charter, owing to a defect in the title of the Gild, which confirmed to the Gild all its possessions and the full control of its affairs. (g) In 1389 Richard II sent a committee throughout the realm which was commissioned to report on the gilds. This committee's report (see footnote 9, below) on the Stratford Gild still exists. Its list of the ordinances in operation in the Gild of the Holy Cross may be consulted in Sidney Lee's *Stratford-on-Avon from the Earliest Times to the Death of Shakespeare* (1885, pp. 61-63). (h) Its extant account books, which begin with 1353, for the fourteenth and fifteenth centuries show that the Stratford Gild flourished during that period. Scarcely a Stratford street but had its households belonging to it. (i) In 1400 the Gild buildings were enlarged and embel-

lished, and a parlor for social affairs was added. (j) It became so influential and so widely known that it attracted members from far beyond its borough boundaries. Sir Hugh Clopton was a member and also Sir Thomas Littleton, the famous jurist, author of *Lyttleton's Tenures* (1525, first English edition). (k) In 1547 the Chantries Act of Edward VI dissolved the Stratford Gild of the Holy Cross. (l) Before the fourteenth century closed, the English gilds had very seriously overshadowed the Bishops' authority, and Warwickshire with Stratford was no exception. (m) The 1553 Charter of Edward VI for the Corporation of Stratford-upon-Avon completely took over the offices and work of the old Stratford Gild.

No Shakespeare name appears in any of the extant records of the Gild of the Holy Cross in Stratford-upon-Avon. The records of the gild at Knowle, however, do contain the names of a number of Shakespeares.

The general activities of the Stratford Gild are now pretty definitely known; on the basis of documentary sources the following may be ventured: (1) It was established, as were all such gilds, to preserve local self-government (a very fundamental thesis in Anglo-Saxon social-political life) for Stratford folk. (2) It was not in any sense originally a trade gild, for trade gilds came later and had for their objective the linking of all groups of craftsmen for business purposes, but it was rather a social-religious fraternal order. It was a benefit society. (3) It admitted both "sisters" and "brothers." (4) It was a lay organization for mutual self-help and not an official adjunct of the Church. (5) The fees charged for membership ranged from 6s. 8d. to £4, according to the wealth of the person seeking admittance. (6) Its objective was the well-being, both physical and spiritual, of its members. They were "collected for the love of God and our soul's need." Prayers were said for the repose of the souls of its deceased members. Many a poor man in the Middle Ages found it difficult to pay for such prayers, and the gilds rendered desirable service in such

cases. (7) Fraternal relations were emphasized: annual love feasts were held, social visiting and intimacy were stimulated, and aid was rendered the poor and needy. (8) It was definitely organized with a Master, Aldermen, and two Proctors who handled the finances; these officers will be recognized as virtually those of the later Corporation of 1553. (9) Attendance at meetings was compulsory—the members attending in their Augustinian hoods. (10) Generous gifts and pious legacies made the Gild wealthy. (11) This Gild of the Holy Cross, during three or more centuries, exercised full control of the political-social life of Stratfordians, though less than the entire population constituted its membership, until it was dissolved by the Chantries Act of 1547 by Edward VI. (12) From 1547 to 1553 Stratford floundered for want of a system of local government. (13) When in 1553 it applied for and received its grant of a Charter from Edward VI for the Corporation of Stratford-upon-Avon, that Charter included virtually everything, even those grants of foundations and tithes, that the Gild had possessed in the local borough life. The Charter of 1553 preserved for Stratford the people's cherished liberties and local self-government.

The Gild Chapel, a highly important factor in the medieval life of Stratford, has an interesting history: (a) Because the Parish Church was so far removed—actually it was far to the south and outside the borough limits, the parish church for the Stratford parish and not a borough church for the borough—the Gild Chapel counted for very much more in the religious life of the citizen than did the Church. (b) By permission of Godfrey, Bishop of Worcester, Robert de Stratford founded the Chapel and Almshouse in 1296. Of the Chapel no archaeological remains are known to exist. (c) Of the present Gild Chapel, much worn by weathering of wind and rain, the chancel is the oldest part and dates from the fourteenth century. (d) Leland's *Itinerary* (1549; Toulmin Smith's edition II, 49) asserted: "There is a right goodly chappell in a faire

strete toward the southe ende of the towne dedicate to the Trinitie. This chapell was newly reedified in mind of man by one Hughe Clopton, Major of London."

The present nave, tower, and porch were built, or at least well repaired, in 1492 by Sir Hugh Clopton, who also built New Place, just across the street north from the Gild Chapel to which he added a chapel in which prayers for the repose of his soul would be offered up. Clopton, at that time, employed the latest type of gild buildings. New Place and the Clopton Gild Chapel were originally definitely conceived in relation to each other. Sir Hugh Clopton (Lord Mayor of London), however, died (1496) in London and was buried in St. Margaret's, Lothbury. This Hugh Clopton was the one who built also the beautiful Clopton Bridge across the Avon which still stands intact. (c) The walls of the Gild Chapel were once decorated with frescoes and paintings—the Creation of the World, the Murder of St. Thomas à Becket, St. George Slaying the Dragon, Helen's Quest for the True Cross, the Day of Judgment—which were defaced and partly obliterated during Puritan activities and were partly restored in 1804 when the coating of whitewash was removed. (f) During John Shakespeare's term as Chamberlain of the Corporation the "ymages" in the chapel were defaced; subsequently the rood loft was pulled down, a communion table was substituted for the altar, and seats were installed. (g) On a set of bells* in the tower the hours and the quarter-hours were struck. The bell in the Chapel was recast in 1591; was repaired in 1615, only a few months before it probably tolled the knell for Shakespeare's own death; and it was recast again in 1633, when the initials of the members of the Corporation of that year were made to encircle it—Daniel Baker, Henry Walker, Richard Hathaway, Thomas Quiney, and others. The dial, with a single hand, faced New

Place across the street north on the opposite corner. It was set at the side of the lower belfry-window, on the west, not, as now, beneath it. An antique weathercock, quaint of its kind, surmounted the tower. At the west door on the ground floor was a little shop whose tenant, because of the fire hazard, was forbidden to kindle his fire. (h) From an antiquarian point of view, the Gild Chapel and its attendant buildings are almost unique and constitute one of present-day Stratford's greatest charms.

With this Gild Chapel William Shakespeare was intimately acquainted. This was not only because the Gild Chapel was pretty much still, in his day, the center of the political-social-religious life of the town but because here as a schoolboy he attended prayers conducted by the schoolmaster; and his own home, New Place (purchased in 1597), the old Sir Hugh Clopton house, was just across the narrow street north from the Chapel. Here too the almsfolk attended prayers on weekdays, and here on special occasions the members of the Corporation were addressed by distinguished visitors. The High Bailiff and the brethren of the Corporation were jealous of their traditional rights to the Gild Chapel, even the order of their seating. From the pulpit, in front of the partition which separated the chancel from the nave, Thomas Cartwright, champion of English Presbyterianism and master of Leicester's Hospital in Warwick and protégé of the Earls of Leicester and Warwick, preached in 1586 and in 1587. The nonconformist Job Throckmorton of Hasely, recently elected Member of Parliament for Warwick, accompanied Cartwright on the 1586 visit to Stratford. In the bitter controversy between Bishop Whitgift and Job Throckmorton, the powerful influence of Warwick Castle alone saved him, and Cartwright as well, from their equally powerful enemy, the Bishop. It was during the youth of William and during the mature years of John Shakespeare that the Gild Chapel was Protestantized.

"There is also an almase-house of 10. pore folke at the southe syde of the

chapell of the Trinitye mayntaynd by a Fraternitie of the Holy Crosse," declared Leland in 1549.

The Gild Hall was also a conspicuous factor in the life of the town. (a) Almost at right angles to the tower of the Gild Hall on the corner, and extending southward parallel to the present Church Street, was located the Gild Hall. The Gild Hall proper, a long narrow room of timber and plaster, was on the ground floor. Directly above it was the Grammar School. A passageway between the Gild Chapel and the Gild Hall, directly beneath the assistant schoolmaster's chamber, led past the door of the Gild Hall (on the right) to the Chapel quad at the rear (east and south). (b) Here in the Gild Hall the annual feasts⁹ of the members of the Gild were held. Among the fading or lime-washed frescoes of the earlier Catholic days before the Gild was Protestantized may be seen the account—scribbled on the plaster before it had dried—of an ancient Gild repast. (c) Here, too, John Shakespeare, like other High Bailiffs, sat as chief magistrate and adjudicated the cases brought before the Court of Record. (d) At the southeast corner, at right angles, of the Gild Hall was the "Council Chamber" or "House" or "Hall" where, as High Bailiff, John Shakespeare presided, sitting on his stool

*The report of Richard II's Commission of 1389 to report on the Gilds, in its statement of the ordinances of the Stratford Gild of the Holy Cross, said: "It is further ordained by the bretheren and susteren, that each of them shall give twopence a year, at a meeting which shall be held once a year; namely, at a feast which shall be held in Easter week, in such manner that brotherly love shall be cherished among them, and evil-speaking be driven out; that peace shall always dwell among them, and true love be upheld. And every sister of the guild shall bring with her to this feast a great tankard; and all the tankards shall be filled with ale; and afterwards the ale shall be given to the poor. So likewise shall the bretheren do; and their tankards shall, in like manner, be filled with ale, and this also shall be given to the poor. But, before that ale shall be given to the poor, and before any brother or sister shall touch the feast in the hall where it is accustomed to be held, all the bretheren and susteren there gathered together shall put up their prayers, that God and the blessed Virgin and the much-to-be-reverenced Cross, in whose honour they have come together, will keep them from all ills and sins. And if any sister does not bring her tankard, as is above said, she shall pay a halfpenny. Also, if any brother or sister shall, after the bell has sounded, quarrel, or stir up a quarrel, he shall pay a halfpenny." (Translation of Latin report by Joshua Toulmin Smith, *English Guilds*, p. 217.)

*From the numerous references to and uses of a tolling bell, one might properly conclude that this Chapel bell made a definite impression upon the great English poet.

and caring for the hourglass, at the meetings of the Corporation Council, which consisted of some two dozen fellow aldermen and burgesses. (e) This smaller chamber served as an admirable tiring-house for traveling players who, in presenting their plays before the High Bailiff and his associates, might easily erect their stage at the upper end of the Gild Hall. (f) Above the Council Chamber was the Treasure Chamber or "Counting House" of the Gild. Here was kept the "Great Chist" in which were deposited Corporation deeds, the Corporation Charter, moneys, accounts of the Chamberlains. This "Great Chist" was iron-bound for strength and had three clasp locks of skilled locksmith's devising. The "harneis" or armor and weapons for the trained soldiers of the borough also found place here. The *Minutes and Accounts* (edited by Richard Savage and E. I. Fripp, 4 vols., 1921-1930, III, 164, 171) show that for a time this room was let to a mason and woodcarver, Robert Cox, for his workshop. (g) Within the quadrangle or court at the rear of the Gild Chapel and Gild Hall were the old Priest's House, the foretime Schoolhouse, and the *Camera juxta Aulam*, or chamber for the priest-schoolmaster. (h) In 1590 Alexander Aspinall converted the Schoolhouse into a dwelling for himself and his wife and the *Camera juxta Aulam* into residential quarters for the old curate, Gilbert. The old Priest's House was converted into a commodious residence for Master Henry Smith, a son of William Smith, haberdasher and yeoman in Henley Street, who, very probably, was William Shakespeare's godfather.

While it had sometimes been held that the Gild Hall was built in 1296, by Robert de Stratford, afterward Bishop of Chichester and later Lord Chancellor, the present structure appears to be of the fourteenth or the fifteenth century; possibly it was built or rebuilt by Sir Hugh Clopton when he built or rebuilt the nave and tower of the Gild Chapel in 1492.

The Grammar School, directly over the Gild Hall, must have been of a

rather high order, if the qualifications of its schoolmasters are any indication. Its records, assuming that they were kept, have never come to light. Yet a few facts may be cited: (a) The Grammar School was one of the activities supported by the Gild in connection with the Gild Chapel. (b) One of the Chapel priests was the schoolmaster. (c) It was in existence as early as 1295 and a schoolmaster is mentioned as early as 1402. (d) Leland (1549) declared (*Itinerary*): "There is a gramar-schole on the sowthe syde of this chapell, of the foundation of one Iolif a mastar of arte, borne in Streotford, whereabout he had some patrimonye; and that he gave to this schole." (e) This "Iolif" was Thomas Joliffe, a priest of the Gild Chapel, who in 1482 in the time of Henry VI gave land at Stratford and at Dowdall for founding and maintaining the Grammar School. The original manuscript Covenant (1482) for the administration of Joliffe's endowment is in the Birthplace Museum. (f) When in 1547 the Gild was suppressed by the Chantries Act, the King's Commissioners diverted the foundation and revenues of the Grammar School to the Crown. (g) By the Charter of 1553, Edward VI, much of the foundation was restored to the school, now refounded as the "King's New School." This 1553 Charter required the Corporation of Stratford-upon-Avon to continue the "new founded school" and also to continue the "almshouse," which, apparently, was farther to the south of the Grammar School and the Gild Hall. (h) The huge solid oaken beams and trusswork still support overhead the roof of the Grammar School and Gild Hall. An unsightly partition, which had divided the schoolroom, was removed in 1896, to the great gain in appearance of the original. (i) A survey of Henry VIII shows that the schoolmaster had an annual salary of £10, that John Combes was the steward at 20s. per annum, that a cook and a servitor to the priests received each 10s. a year, that a clerk for the Chapel had 4s. a year, and that the collector of rents was allowed £1 6s. 8d. per annum. The 1553 Charter provided

that the schoolmaster should receive £20 per annum—a handsome salary, in excess of (double) that paid at Eton and elsewhere. In the Corporation Book, under 18 February 1594/5, it is stated: "At this Hall it was agreed by the Bailiff and the greater part of the company now present that there shall be no school kept in the Chapel from this time forth." This cryptic entry is difficult to explain in the light of the presence of a special Grammar School.

If William Shakespeare acquired part or parcel of a Grammar School training—there is no documentary evidence of this, but his plays show far more than common acquaintance not only with schoolroom methods but also with the content of the books then used in Grammar Schools—it is all but absolutely certain that he got it in the Stratford Grammar School. The Stratford schoolmasters of William Shakespeare's day were as follows: 1563-1567, John Brownsword (pupil of the vicar John Bretchgirdle, who baptized the future poet and dramatist), at a salary of £20 a year; 1567-1571, Walter Roche, who was B.A. of Oxford and Lancashire, Fellow; 1571-1577, Simon Hunt, who was B.A. and Fellow of Oxford and who had been Roche's assistant; 1577-1579, Thomas Jenkins, who was B.A. and Fellow of Oxford, but, his services not being satisfactory, he was paid £6 to resign his mastership; 1579-1582, John Cotton; and 1582-1624, Alexander Aspinall.

Simon Hunt, in scholarship, character, and social status, was easily superior to Walter Roche, his predecessor, and Thomas Jenkins, his successor. Ordinarily William Shakespeare's school days in the Grammar School would have been the years from 1571 to 1578 during which Simon Hunt was one of the masters. Hunt knew his Latin, had his strongest sympathies for the Old Faith, and was a thorough schoolmaster. With Latin, with the Old Faith, and with schoolmaster's methods, William Shakespeare's works show intimate acquaintance. Hunt's career was not free from disturbance: In 1571, two and a half years after taking his B.A. at Ox-

ford, he was licensed by the Bishop of Worcester to teach the Grammar School at Stratford. Stratford Puritanism was not to his liking, for, consequent upon a barring-out by his pupils in 1573, he turned staunch Roman Catholic. In 1575, he entered Douai University, in 1578 was admitted to the Society of Jesus, in 1580 succeeded Father Parsons at the English Penitentiary at St. Peter's, and in 1585 died in Rome while still in his early thirties.

C. Folger MS 446, folio 32 (one item of Halliwell-Phillipps' *Calendar of Shakespearean Rarities*, No. 216), the Rev. Joseph Greene MS record of his measurements of the Stratford Parish Church, contains probably the earliest detailed account of the physical appearance of the Parish Church. The manuscript is in the Rev. Joseph Greene's own handwriting and is dated 1763. The Rev. Joseph Greene, too, has handed down perhaps the earliest description of New Place: Folger MS 452 (Nos. 5 to 7 in Halliwell-Phillipps' *Calendar of Shakespearean Rarities*), which is Greene's account of Richard Grimmett's description of New Place. It is quoted *in extenso* in connection with the discussion of New Place later (chapter xli) in this volume. From Greene's account it is clear that the Parish Church, by 1763 when he described it, had undergone some changes and hence was not exactly as it had been in the days of William Shakespeare.

Leland's account (*Itinerary*) of the Parish Church is brief but enlightening:

The paroch church is a fayre large pece of worke, and stondithe at the southe end of the towne. Some conjecte that where the paroch church is now was the monasterye cawlyd Strectford, gyven in augmentation of Eoesham in St. Egwin Byshope of Wircester tyme, but the certeinte of this is not knowne.

The church [of Stratford] now stondinge, as it is supposyd, was renewyd in buildinge by [John de] Strectford [Arch]-byshope of Cantarbery [in the beginnunge of the raigne of K.E. 3., whoe was] borne in Strectford, whereof he tooke his name. He made this of a simple paroch church a collegiate church, augmenting it with some landes.

Ther belongyd to the coledge a gardian, 4. priests, 3. clerkes, 4. choristres, and their mansyon place, an ancient pece of worke of square stone hard by the cemitory. The church is dedicate to the Trinite. The

the northe syd of the presbiterye [in a fayre tombe].

The Rev. Joseph Greene's description of the Church, which augments mate-

[DOCUMENT 37]

[REV. JOSEPH GREENE'S DESCRIPTION OF THE STRATFORD PARISH CHURCH, 1763]

The Nave or body of y^e Church, & y^e Chancel, are of y^e same breadth, & measure 28 feet. The North & South Ails (parallel with y^e Nave in length) measure ^{each} in breadth 20 feet. ~~each~~. And y^e North and South Cross are in breadth y^e same as y^e area of y^e Tower, viz 27 feet.

| | |
|--|--------------------|
| The height of y ^e Nave or body of y ^e Church is 50 feet. | } ^{total} |
| — of y ^e North & South ails, each 25 feet. | |
| — of the Tower [w ^{ch} contains a peal of Bells] 82 feet. | |
| — of the Chancel 40 feet. | |
| — of the North & South Cross 30 feet. | |

There was ~~formerly~~ ^{poor} on y^e Tower of this Church a ~~un-decay'd~~ wooden Spire or Steeple Cover'd with lead, w^{ch} measur'd in height about 42 feet, w^{ch} besides wanting frequent Repairs, seem'd ^{too mean} & trifling, & of much too diminute a size for so noble an ^{Edifice.} The parishioners therefore in y^e year 1763. obtain'd a faculty of y^e then Bp of Worcester to take down thier decay'd spire, & erect a new one of Warwick hew'n stone in lieu thereof, The Diameter of y^e Basis of ^{spire for it nt yet bem'd to} which ~~is~~ will be 20 feet; & from springing an Arch thereto y^e top of y^e battlements of y^e Tower, will be 4 feet 10 inches; & from y^e battlements of y^e Tower to y^e Cap-stone of y^e Spire, w^{ch} is to support y^e Vane or Weather-Cock, will be 76 feet 2 inches, plainly visible; so that ~~total~~ ^{will be to} of y^e height of y^e spire ^{& the which will be} 81 feet ^{to} which added to y^e height of y^e Tower 82 feet, ~~make both~~ 163 feet, ~~in height~~ or 54 yds, 4 inches in height, making y^e appearance as here represented.

quire of the church was of late tyme reedified by one Thomas Balsalle Doctor of Divinite and gardian of the coladge there. He dyed *anno domini* 1490, and liethe in

rially Leland's historical description of 1543, is here given as Document 37, just as it stands in the original document in the Folger Shakespeare Library.

The Stratford Parish Church, while it was in Shakespeare's day actually outside the borough boundaries of Stratford-on-Avon and was the church for the parish of Stratford and not primarily for the borough, has always been associated closely with things Shakespearean. This Church is important in the study of Shakespeare, if for no other reason, because the great dramatist was buried there within the chancel rail in front of the high altar. There, too, is his monument with its laudatory inscription. Certain historical data concerning it are rather definitely established: (a) No archaeological excavation has ever been undertaken to determine conclusively whether or not the Church rests on the older site of the Anglo-Saxon religious house on the Avon at or near this point; the ancient Saxon religious house actually may have been out Shottery way. (b) It cannot be established, in the absence of documentary evidence pro or con, that the old chancel house (removed in 1801) off northward from the chancel (old door now sealed up) was the oldest part of the Church; architectural evidence derived from old prints of it points rather to the fourteenth and fifteenth centuries. (c) The early Saxon charters, etc., relating to the old Saxon religious house at Stratford, the probable forerunner of the present Church, have been reviewed above. Those charters were intimately bound up with the early history of Stratford-upon-Avon itself: indeed, the old Saxon religious house and the town itself were pretty much one and the same thing. (d) As to the chancel house, it was of two stories; its ground room was of two bays and was the bone-house proper; it was perhaps built to accommodate the "singing boys" of the college, who appear to have occupied the upper chamber; it was entered from the chancel by steps; on the outside of it there were supporting skew buttresses; in 1799, on July 4, the order was issued for its removal from the chancel, it never having been an organic part of the architectural unit; when removed in 1801, its stones were used in the stonework front of the new house then built

by William Oldaker in Mill Close, the house later known as Avonfield. (e) No part of the present Church architecture is earlier than the thirteenth century—there is some thirteenth-century masonry in the tower. (f) The general floor plan (definitely cruciform) of the Church shows the chancel to be nearly five feet askew from a straight line drawn lengthwise through the center of the Church. This, no doubt, was the result of careless work at the times the several units of the Church were erected: it cannot be demonstrated that the chancel was intentionally built askew to represent the drooping head of the Christ on the cross. (g) The architecture of the Church demonstrates that the whole, as it now is, was never conceived, by an individual mind, as a single architectural entity (the groining in the tower was not completed before 1842): (1) no known Saxon architectural relic remains in the structure; (2) the tower has Norman-style panel arches, by some held to be even earlier (?) than 1200; (3) John de Stratford (†1348) built (if not actually rebuilt) parts of the structure—seemingly built a chantry of the chapel dedicated to St. Thomas à Becket, rebuilt the embryonic south aisle, remodeled the tower, widened the very narrow north aisle, established the chapel of the Holy Virgin at the east end of the north aisle (now the Clopton Chapel), and apparently gave the transepts some attention; (4) Dr. Thomas Balsall (†1491), in the time of Edward IV, "added a fair and beautiful choir."¹⁰ (5) Ralph de Collingwood, a very pious priest of the close of the fifteenth century, added numerous touches.¹¹

¹⁰ The present choir is pretty much as it was originally. There is architectural evidence that it was rebuilt. Balsall employed a different type (beautifully perpendicular) of architecture. The askew chancel was erected at Balsall's own cost. His tomb, its figures partly denuded by Puritan destructive enthusiasm, may be seen against the north wall of the chancel. He provided a baptismal font, also north and south doors to the Church—probably the present heavy oak ones—and the grotesque carved figures in the choir stalls.

¹¹ Collingwood gave the choir and chancel their present final architectural details. He renewed the nave and the north porch. He renewed the low decorated clerestory by pulling it down to the crowns of the arches and rebuilding it to afford still greater lighting for the nave and the aisles. The narrower

(h) Despite this architectural potpourri of the Church, it is remarkably well unified. Despite the too-flat roofs on the several parts of the structure, those of the transepts being steepest, the Church really is a dignified, imposing, and beautiful rural church. (i) The deed to New Place carried with it the ancient privilege of a pew in this Parish Church; hence Shakespeare had an accustomed seat in this place of worship. (j) The Stratford Tithes carried with them the recognition of right to burial within the sacred walls; hence William Shakespeare, who owned the Tithes at the time of his death, was duly interred within this sanctuary.

The Parish Church which the dramatist knew was scarcely the old medieval church of an earlier day. The Reformation had stripped the Church of much of its colorful insignia and ecclesiastical distinctiveness. While the Church never was denuded quite as was the Gild Chapel just across the street south from New Place, still it had become much Protestantized. A few observations about the Church of Shakespeare's own acquaintance may be listed: (1) There he observed curates, baptisms, betrothal announcements, and marriages, with all of which he shows far more than common familiarity. (2) The pavement was honeycombed with graves, for each townsman was eager to be buried in the Church at the end of his accustomed pew. (3) Shakespeare was familiar with the sight of chapless skulls and shinbones dug up and scattered in the churchyard to make room for new burials within the Church. (4) He saw his own father as High Bailiff with all his official family of brethren march, in their furred and highly colorful robes, to their accustomed and reserved pews on the north side not far from the Clopton chapel. (5) The poor almsfolk had seats far in the rear of the structure, for class distinction was a very definite social consideration. (6) After the Reformation, the obnoxiously "popish" chan-

panels and the larger lantern windows in the upper clerestory are his. Thus, even today, the Stratford Parish Church is unusually well lighted. Collingwood, too, added bays to the choir.

cel was boarded off from the nave of the church and made a special burial place for the more worthy, of whom William Shakespeare was one when in 1616 he was buried there. (7) In front of this partition, now long since removed, a two-decker or perhaps a three-decker pulpit was installed for the better preaching of the minister. The curate below read the conventional service; the vicar or minister above preached the Protestant or even Puritan sermon. (8) *The Booke of the Common Prayer* (1549) and the great Protestant Geneva Bible were the books of authority; with the Geneva Bible (not the King James version of 1611, as the uninformed often so enthusiastically proclaim) William Shakespeare shows even meticulously intimate acquaintance. (9) The sanctuary knocker, still to be seen and touched on the great oaken door of the Church opening from the entrance porch, was an object not unfamiliar to the poet. (10) *Sedillia* (at present two of them), narrow stone-seat niches along the sides of the wall for visiting priests, are still to be seen. (11) Over the porch was the room for the sacristan (not the sexton). (12) In this Church was entered and kept the "official" Parish Register, for entries of baptisms (not births), marriages, and burials (not deaths). The portions of the Register showing the baptism and burial of William Shakespeare are at present exhibited in a glass-covered, especially constructed, strong oaken case not far from the inner door of the porch. (13) At or before the porch door (*os ecclesiae*), marriages took place, mortgages were paid, tithes and taxes were delivered, proclamations were read, and recalcitrants were excommunicated.

The chancel, in which the poet lies buried—to the left toward the north wall as one faces the high altar—was during Shakespeare's time in a highly ruinous condition. The Reformation seems to have promoted neglect of the "popish" altar and sanctuary. It was in a "bad state" as early as 1593. It was "ruinous" in 1618. Rain, seeping water, and lack of care had caused its decay. In 1621–22, five years after the dramatist had

been interred in April 1616, the walls of the chancel were mended and the windows glazed. Thus, when the dramatist was buried in the chancel, it was a forbidding place. Presumably to make room on top of him for the other members of his own family, Shakespeare's grave, according to tradition, was dugged seventeen feet deep. In 1796 excavations closely adjacent to his grave revealed that his grave had never been disturbed and that he was interred not in a stone or brick vault but in a perishable wooden coffin. By 1623 the present "monument"—above his grave—was fairly high on the wall of the chancel—with the well-known Janssen bust and the well-known monumental inscription beneath it, had been erected to the poet's memory.

D. Of early Stratford-upon-Avon,¹² or even of Shakespeare's Stratford-upon-Avon, no contemporary map or plat has yet come to light. Dugdale's *Antiquities of Warwickshire* (1656), like Leland's *Itinerary* (1549) a century earlier, described Stratford-upon-Avon in a general way but provided no map. Not until 1806, when R. B. Wheler published his *History and Antiquities of Stratford-upon-Avon*, was there a serious attempt to provide a descriptive-historical account of Stratford. The most recent, most scholarly, and most ambitious attempt of this sort is Rev. Edgar I. Fripp's *Shakespeare's Stratford* (1928), which is largely topical in its treatment. None of the volumes on Stratford prepared by scholars, including Wheler's (*History and Antiquities of Stratford-upon-Avon*, 1806), Lee's (*Stratford-upon-Avon from Earliest Times*, 1885), Baker's (*The Collegiate Church of Stratford-upon-Avon*, 1902), Bloom's (*Shakespeare's Church*, 1902), and Fripp's (*op. cit.*), have been based on any early or

¹² The *Domesday Book* (1086) recorded Stratford as having a population of about 150. The population of Shakespeare's Stratford-upon-Avon must have been something fewer than 2,000. Stratford Parish had some 3,000. The Rev. Joseph Greene, in 1763, set down the inhabitants as numbering 2,287, in 552 houses. R. B. Wheler (*History and Antiquities of Stratford-upon-Avon*) gives, for 1801, the population as 2,418. Stratford of today, though retaining much of its old rural charm, has become a city of 10,000 people. Stratford's municipal records are among the most nearly complete of English towns.

contemporary sixteenth-century map or plats. The early maps of Warwickshire—those of 1603 and 1610—provide very little about Stratford other than its geographical location in the southern part of the shire. Accordingly, such maps of Stratford-upon-Avon as have been printed are modern and composite. The earliest of such composite maps of Stratford-upon-Avon is that of Winters of 1759 (Halliwell-Phillipps says 1768). It was reproduced in facsimile (clipped) by Halliwell-Phillipps (*Outlines of the Life of Shakespeare*, 1882, I, 202) and by Lee (*op. cit.*, p. 125) from Halliwell-Phillipps' *An Historical Account of New Place* (1864). Three other excellent composite maps of more recent make are those of Edgar I. Fripp (inserted in the back of his *Shakespeare's Stratford*), of Sir E. K. Chambers (Plate III of Vol. I of his *William Shakespeare*, 1930), and of *The Shakespeare Pictorial* (1932), showing modern Stratford-upon-Avon. If Winter's map of 1759 in any way approximates Shakespeare's Stratford-upon-Avon, then, in general plan, the town has changed little during the past three centuries. Even the streets in the main part of the town remain approximately as of yore.

The map of Shakespeare's Stratford-upon-Avon prepared by the present author and reproduced here is avowedly composite. Every available reliable source of information has been utilized in the making.

With the early Parish Church, then far to the south and outside the boundaries of the ancient borough, in Old Town on the very bank of the Avon, New Town, the Stratford of William Shakespeare, was some distance virtually due north of the Parish Church and somewhat to the west of the bank of the Avon. The fairly large plot of land then lying between the town and the river is still known as Bank Croft, the upper part of which had been Butt Close when archery was practiced for the national defense. Elizabeth ordered it, and the burghers practiced it. Bank Croft (modern Bancroft) was the common pasture for sheep, cattle, ducks, and ringed swine.

The names and locations of the old streets are indicative of a rural market town. Leland in 1549 declared: "It hathe 2. or 3. very lardge stretes, besyde bake lanes. One of the principall stretes ledithe from est to west, anothar from southe to northe. . . . The towne is reasonably well buyldyd of tymbar." Leland, thus, gave the general topographical plan of sixteenth-century Stratford as that of a large capital T—though the shaft and the upper bar were not quite at right angles to each other. The first of these streets, probably once the two main Roman roads in Stratford-upon-Avon, was the present one leading from Clopton Bridge westward by way of Bridge Street ("Fore" and "Back"), Wood Street, the present Green Hill Street, and the road to Alcester. The second of these was the street leading from the Parish Church through Churchway, Old Town, Church Street, Chapel Street, and High Street to the point where Bridge Street passed to Wood Street. Obviously, these two, for all their changes of names as one passed along, were the principal streets of Stratford-upon-Avon. Most of the back lanes indicated by Leland branched off from these two main long streets. The very names of the streets identify the market-town nature of the village. Wood Street, of course, was the place where wood was for sale. Rother Street (<A.-S. *hreoother* = cattle < Teutonic *hrinthos* = Mod. Germ. *rind*. Cf. *Timon of Athens*, IV, iii, 12: "The pasture lards the rother's sides") indicated where cattle were sold. Rother Market or Rother Street was, perhaps, one of the very oldest streets in Stratford. The salt wagons, too, unloaded here. An old stone cross once stood in Rother Market. One of the very oldest houses (Gorshaw's) in Stratford today stands on the west side in Rother Street. Ely or Swine Street was where swine were offered for sale. Tinkers Lane was the place where the pot menders plied their trade and offered their wares. In Sheep Street the best of the flock was sold. All these market-town names were attached to streets rather deep in the center of the town.

The religious interest of the commu-

nity, centering about the Gild Chapel and the old Parish Church, both of which were in the south part of the town, was indicated by Chapel Street, Chapel Lane (Walker's Street), Church Street, and Sanctuary Lane. Then Henley Street, in which was the home of John Shakespeare and which led by Back Bridge Street to the Clopton Bridge, was really but a continuation of the road from the distant market town, Henley-in-Arden, off to the northwest from Stratford. A further topographical feature of Shakespeare's Stratford was the Mere, a stream of water, an open ditch, which came from north of Stratford, passed through the Gild Pits, crossed above (east) the John Shakespeare Henley Street home, south to Rother Market and down Rother Street to Tinkers Lane, and from there directly east down Chapel Lane (Walker's Street) through Bank Croft to the Avon. The Mere played its part in the drainage and sewerage of the town.

This Stratford—which David Garrick, in 1769, declared was "the most dirty, unseemly, ill-pav'd, wretched-looking town in all Britain"—had some rough cobblestone-paved streets, many elm trees that shaded the town in summer, and many gardens and closes attached to the houses. Whereas weaving, dyeing, tanning, carpentry, shoemaking, glove-making, and such crafts, all were carried on in the town, its chief industry was malting. Though the Mere and the Avon afforded open drainage, and though there were five public dump heaps, and though many fines were imposed and collected for unlawful accumulation of offal, Stratford had its share of unsanitary conditions. Shakespeare mentions soap not once, but sack some fifty times! The trade guilds—glover, butcher, cooper, wheelwright, blacksmith, dyer, shoemaker—were active. The cross-timbered houses were, for the most part, thatch-roofed.

Stratford, while a rural market town, was not wholly removed from contacts with the outside world: two roads led southward direct to London, to and from which carriers passed regularly; Oxford with its University was not far

to the south; and Warwick and Coventry were within easy reach to the northeast. Stratford and Warwickshire were the very center of Protestantism in England. Stratford's Grammar School was of more than common quality, and Stratford itself was not bookless. Some of its citizens have left letters in Latin and French. Its very full extant Corporation records show that as a borough it was actively and solicitously concerned for the welfare of its citizens.

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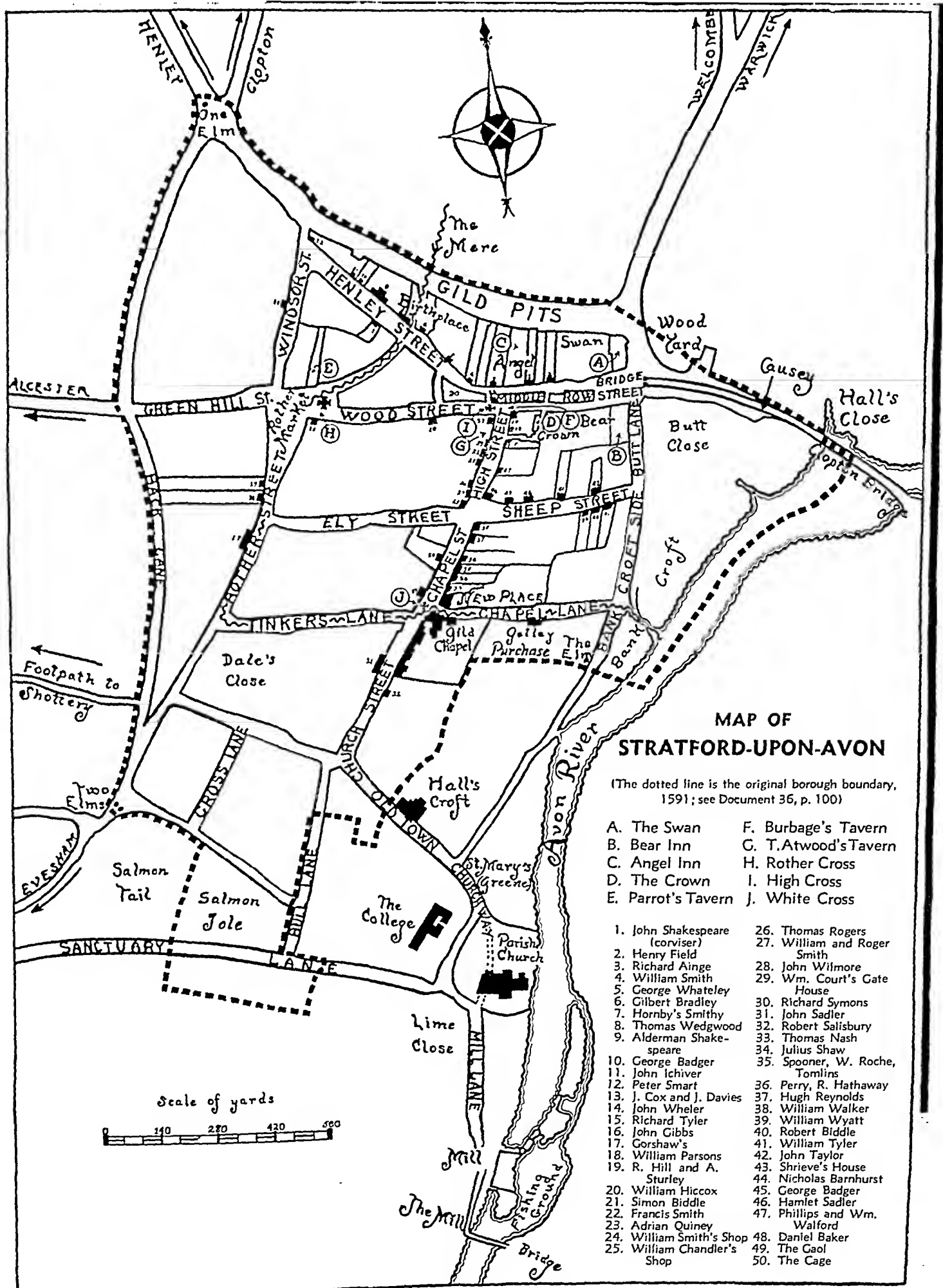
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X

JOHN SHAKESPEARE'S PURCHASE OF THE BIRTHPLACE, 1556, 1575

AMONG the items relating to John Shakespeare, few are of more interest and importance than the documents recording his ownership of real estate in Stratford-upon-Avon. These documents include a view of frank pledge of 1556, a "fine" of 1575, a list of tenants in Henley Street from a survey of the property of Ambrose, Earl of Warwick, and certain letters contained in Folger MS 447.

A. A Visus Franci Plegii, October 2, 1556, 3 and 4 Philip and Mary, conveyed to John Shakespeare two tenancies: (1) George Turnor alienated a tenement in "Grenchyll stret" to John

Shakespeare; and (2) Edward West alienated a similar tenancy to him in "Henley Strete." The fact that the conveyance was a view of frank pledge suggests that the two tenancies were copyholds. This document is in the Public Record Office, where it is identified as "View of Frank Pledge, Borough of Stratford, Portfolio 207." From the entry of the chief-rent of "vj^d" for the Henley Street property in the 1590 Survey "post mortem" of the Earl of Warwick, one is enabled to identify this property as the eastern house of the Birthplace (Henley Street) properties. The *Visus*,

with its abbreviated legal Latin forms spelled out in full and the necessary added letters enclosed in brackets, is here given *in extenso* as Document 38.

The details of the second part of this, a wholly conventional legal action of the Court Leet, were thus: (a) It was dated October 2, 1556. (b) Edward West alienated a certain property. (c) John Shakespeare was the purchaser. (d) No price was indicated. (e) It was one house and one adjacent garden. (f) It was in Henley Street. (g) The rent was "vj^d" per annum. (h) John Shake-

¹ Except for this view of frank pledge no document about this Greenhill Street property has yet come to light. What disposal John Shakespeare made of this tenancy is not known. William Shakespeare's will of 1616 did not devise it: it had passed from the Shakespeare estate before that date. A Greenhill Street remains in modern Stratford. It is a continuation of Wood Street beyond Rother Market—westward to the road to Alcester. It is not certain that this Greenhill Street is the same as the "Grenchyll stret" of John Shakespeare's day. Since no authentic civil will of John Shakespeare has ever been found, it is not known whether or not this property was in his possession at his death in 1601. Mary Arden Shakespeare died in 1608; but, since likewise no will of hers is extant, again it is not known whether the property was in hers or in William's possession at her death. Thus whether or not William Shake-

speare ever owned this Greenhill Street estate cannot at present be determined.

Two entries in the Court Leet throw light on Greenhill Street. The first was of 3 and 4 Philip and Mary: "Raf Hylton for hys wyf beyng a hedge brekar, and teryng and carryng away of Nicholes hedge at Grenchyll, and he stands amersyd." The second was of October 6, 5 Elizabeth, 1563. It had to do with ordering the location of the public dunghills. According to this order of the Court Leet, six such "donghyll" common dump-grounds existed in Stratford-upon-Avon in 1563. They were to be cleaned out twice a year—at Pentecost and Michaelmas. The entire view of frank pledge (printed in Halliwell-Phillipps' *Life of William Shakespeare*, p. 27) reads: "Item, that no maner of person nor persons by hym or themselves or any other of [them] or ther famly do at any tyme hereafter ley eny donge or muck in the stretes or lanes, but only within

severall groundes or uppon the comen dunghyll appwntyd, under the peyne of forfeit for every default iij.s. iiij.d. and the tennant that rentyth the ground for sufferynge dung or muck to be leyd uppon hys ground contrary to the ordor prescribid, every suche tennant to forfeit for hys so sufferyng muck to be so leyd x.s. every suche forfeit to be to the use of the chambur of Stratford. Theis donghylls beyng comen donghylls appwntyd hereafter namyd, that ys to say, one at the nether end of Shyp stret, one other at the nether end of Burge stret, one other in the gravell pyttes in Tynear stret, one other at thupper end of Grenchyll stret by Nycholas lanes hedge in Henley stret, one other donghyll in the old plac accustomyd, one other in Church lane benethe John Sadlers barne, and all the same sayd comen donghylls to be ryd twyze in the yere, that ys to say, befor the feest of Pentycost and neer and about Mychelmas, under the peyn xx.s. to the use afor-sayd."

speare made the customary pledge of loyalty, a legal convention long since fossilized, to the Lord of the Manor. There was nothing in the document that gives the least hint as to what the house was used for. Nor was there any indication as to the size or style of the house. Halliwell-Phillipps designated it as a "Woolshop," but no document at present known provides the least evidence that it was ever used as such. That John Shakespeare was still in occupation of this East House in 1575 is evidenced by William Wedgewood's sale, September 20, 1575, of his two tenements, for £44 (about \$1,760), to Edward Willis, which property, in the conveyance, was identified as "betwyne the tenement of Richard Hornbee on the east part, and the tenement of John Shakesper yeoman on the weste part."

This East House, in a 1647 Indenture,² was identified as the Maidenhead Inn. It seems thereafter, and perhaps before that date, to have been known as the Maidenhead, and subsequently in legal documents was set down as the Swan and Maidenhead. It appears, also, that the Harts never occupied this East House, but always sublet it. Lewis Hiccox, who rented it in 1601, was licensed for an Inn in Henley Street in 1603. In that same year there was a scuffle between Hiccox's wife and the wife of Robert Brookes, who lived next door to the East House in the Bell Inn which they kept.

B. In Michaelmas Term,³ 17 Elizabeth, 1575, John Shakespeare, by a fine, purchased from Edmund Hall and his wife Emma, for the sum of £40 (about \$1,600), two houses, two gardens, and two orchards with the appurtenances in

[DOCUMENT 38]

[VIEW OF FRANK PLEDGE CONVEYING STRATFORD PROPERTIES
TO JOHN SHAKESPEARE, 1556]

Stratford Vis[us] fra[nci] Pleg[ii] cum cur[ia] et session pacis
super Avon tent[a] ib[ide]m secundo die Octobris annis regnorum
Philippi et Mariae Dei gratia, &c. tercio quarto
It[em] pr[æ]sentimus quod Georgius Turnor alienavit Joh[ann]i
Shakspere & hæred[ibus] suis unum ten[emen]t[um] cum gardin[i]o
et croft[o] cum pertinent[iis] in Grenehyll stret tent[a] de d[omi]no
lib[ere] p[er] cart[am] p[er] redd[itum] inde d[omi]no p[er] annu[m] vj.d. et sect[am] cur[ie] et ide[m] Joh[ann]es p[ræ]d[ictus]
in cur[ia] fecit do[mi]no fidelitatem p[ro] eodem
It[em] quod Edwardus West alienavit p[ræ]d[ict]o Joh[ann]e Shake-
spere unu[m] ten[emen]t[um] cum gardin[o] adjacen[te] in Henley
stret p[er] redd[itum] inde d[omi]no p[er] annu[m] vj.d. et sect[am]
cur[ie] et ide[m] Joh[ann]e p[ræ]d[ictus] in cur[ia] fecit fidelita-
tem.

[DOCUMENT 39]

[FOOT OF FINE RECORDING TRANSFER OF REAL ESTATE FROM
EDMUND HALL TO JOHN SHAKESPEARE, 1575]

HAEC EST finalis concordia f[ac]ta in cur[ia] d[omi]ne Reginae Apud
Westm[onasterium] a die Sancti Michaelis in unum mensem Anno
regnor[um] Elizabeth Dei gra[tia] Angl[ie] ffranc[ie] et Hibern[ie]
Regine Fidei defensoris &c a conqu[estu] decimo septimo coram Jacobo
Dyer Ricardo Harpur Rogero Manwood et Rob[er]to Mounson justic-
[iarii] et alijs d[omi]ne Regine fidelib[us] tunc ibi p[re]sentib[us]
Inter Johannem Shakspere quer[entem] et Edmundum Hall et Emma
ux[or]em ejus deforc[iantes] de duobus mesuagijs duobus gardinis
et duobus pomariis cum pertinencijs in Stretforde super Avon unde
placitum convencionis sum[monitum] fuit inter eos in eadem curia
scilicet quod predicti Edm[undus] et Emma recogn[overunt] pre-
dict[a] ten[ementa] cum pertin[encijs] esse jus ipsius Johannis ut
que idem Johannes habet de dono predictorum Edmundi et Emma
et ill[a] remis[er]unt et quietumclam[averunt] de ipsis Edmundo et
Emma et hered[ibus] suis predicto Johanni et hered[ibus] suis im-
perpetuum et preterea iidem Edmundus et Emma concess[er]unt pro
se et hered[ibus] ipsius Emma quod ipsi warant[izabunt] predicto
Johanni et hered[ibus] suis predict[a] ten[ementa] cum pertin[encijs]
contra predictos Edmundum et Emmam et hered[ibus] ipsius Emma
imperpetuum et pro hac recogn[icione] remissione quietclam[ancia]
warant[ia] fine et concordia idem Johannes dedit predictis Edmundo
et Emma quadraginta libras sterlingorum

² Document 115, chapter xli; MS is in the Birthplace Museum.

³ Michaelmas Term was, of course, one of the four terms of Court, the other three being Hilary Term, Easter Term, and Trinity Term. By the time of George IV, it had been enacted that Michaelmas Term was to begin on November 2 and end on November 28, Hilary Term was to begin on January 11 and to continue to January 31, Easter Term was to extend from April 15 to May 8, and Trinity Term was to extend from May 22 to June 12. (William Blackstone, *Commentaries*, 1902 ed., III, 278, n. 17.) In earlier times, however, the limits for the terms were not so definitely set. "It seems

Stratford-upon-Avon. These Halls cannot be identified as in any way connected with John Hall, physician, who married Susanna Shakespeare in 1607.

The foot of fine⁴ by which this purchase was recorded is here given as Document 39, from the original in the Public Record Office. The abbreviated

Latin legal forms are spelled out in full. The original has no modern punctuation.

This document was a wholly typical fine, one of the legal methods of conveying and alienating land in the sixteenth century; that is, the entire phrasing was a record of the proceedings in Court by which the transfer of property was made. The entire Court action was a fictitious suit in which the one party sued the other for wrongfully (?) withholding a given property. The defendant admitted this fictitious fact, and then the complainant paid the defendant for giving the premises back to him. A topical analysis of the fine will clarify the recorded procedure: (1) The agreement was a final one before the Court of Westminster, which was the Queen's Court. (2) The date was one month from the feast of Saint Michael in the seventeenth year of the reign of Elizabeth and from the "Conquest"—an old phrase still conventionally remaining in old legal documents long after dating from the Conquest had ceased. (3) Jacob Dyer, Richard Harper, Roger Manwood, and Robert Mounson were the judges of the Court. (4) Other persons loyal to the Queen were present. (5) John Shakespeare complained. (6) Edmund Hall and his wife Emma defended. (7) The matter at issue was the ownership of two houses, two gardens, and two orchards with their appurtenances in Stratford-upon-Avon. (8) A plea of agreement to meet in the Court had been arranged. (9) Edmund and Emma Hall recognized the premises described to be the right of John Shakespeare himself. (10) John had received them back as a gift from Edmund and Emma. (11) Edmund and Emma remised and quitclaimed them for themselves and their heirs to John and his heirs in perpetuity. (12) Edmund and Emma for themselves and the heirs of Emma guaranteed premises to John and his heirs forever. (13) For this recognition, quitclaim, guaranty, fine, and agreement, John gave Edmund and Emma £40 sterling.

The documents by which these three properties were acquired—the East

[An English translation of the legal Latin is as follows]:

THIS is the final agreement made in the Court of Her Majesty the Queen at Westminster one month from the day [of the feast] of Saint Michael in year of the reign of Elizabeth by the grace of God Queen of England, France, and Ireland, Defender of the Faith, etc., from the Conquest seventeen, in the presence of Jacob Dyer, Richard Harper, Roger Manwood, and Robert Mounson, justices, and others faithful to Her Majesty the Queen then there present. Between John Shakespeare the complainant and Edmund Hall and Emma his wife, the defendants, concerning two houses, two gardens, and two orchards with the appurtenances in Stratford-upon-Avon, whence a plea of agreement had been summoned between them in the same Court. That is to say: the aforesaid Edmund and Emma recognized the aforesaid tenements with the appurtenances to be the right of John himself and that the same John had them as a gift from the aforesaid Edmund and Emma and that they remised and quitclaimed for Edmund himself and Emma and their heirs to the aforesaid John and his heirs in perpetuity, and therefore the same Edmund and Emma conceded for themselves and the heirs of Emma herself that they warrant to the aforesaid John and his heirs the aforesaid tenements with the appurtenances against the aforesaid Edmund and Emma and the heirs of Emma herself forever. And for this recognition, remission, quitclaim, warrant, fine, and agreement the same John gave the aforesaid Edmund and Emma forty pounds sterling.

that Hilary term began *Octabis Epiphaniae*—that is, the 13th of January, and ended on Saturday next before Septuagesima, which, being movable, made this term longer in some years than in others. *Easter* term began *Octabis Paschae* (nine days sooner than it now does), and ended before the vigil of Ascension (that is, six days sooner than it now does). *Trinity* term began *Octabis Pentecostes*, to which there does not seem to have been any precise conclusion fixed by the canon which governed all the rest; . . . *Michaelmas* term began on Tuesday next after St. Michael, and was closed by Advent; but as Advent Sunday is movable, and may fall upon any day between the 26th of November and the 4th of December, therefore the 28th of November, as a middle period, by reason of the feast and eve of St. Andrew, was appointed for it." (W. S. Holdsworth, *History of English Law*, 1909, III, 510-11, cited from John Reeves, *History of English Law*, I, 232-33).

Elizabethan documents were often dated on or from some Feast Day or Saint's Day falling within or near to the term in which the transaction was executed. Furthermore, many documents were conventionally dated in terms of the regnal year of the ruling sovereign. This document is dated 17 Elizabeth; that is 1575 (1558 + 17 = 1575). Earlier documents had been dated from the conquest "a

conquestu [1066]"; and long after documents were dated from the year of the accession of the reigning sovereign, the conventional and meaningless phrase appeared. This fine, then, is dated "a die Sancti Michaelis in unum mensem Anno regnorum Elizabeth . . . decimo septimo [one month from the day of the feast of Saint Michael in the year of the reign of Elizabeth . . . seventeen]."

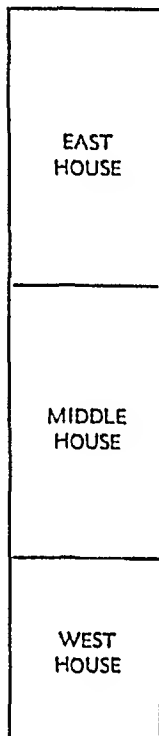
⁴A "fine" was conventionally written on a rectangular-shaped parchment and executed in tripartite: two parts written lengthwise of the parchment and parallel to each other (one for the vendor and the other for the vendee), and a third, the "foot of fine," written across the narrower end or foot of the rectangular-shaped parchment and at right angles to the other two parallel drafts and retained by the Court as its permanent record of this conveyance transaction. That vendor, vendee, and Court might each have a copy, the three copies thus written on the parchment were cut apart with a knife, the resultant wavy line to this day being called the "indenture." It will be noted that this sort of legal document was actually a written record of the legal procedure (a sort of fictitious litigation) in Court involving property. See also William Searle Holdsworth, *History of English Law*, 1923, II, 236-45, for a discussion of fines.

House in 1556 and the Middle House and the West House in 1575—do not provide any descriptive materials regarding them. Critical and persistent research has garnered some details which throw light on these Henley Street properties, conventionally known as the Birthplace.

East House: (a) Perhaps John Shakespeare practiced his trade as a glover here before he purchased the property; (b) October 2, 1556, by a view of frank pledge, John Shakespeare bought it from Edward West; (c) it appears to have been practically equivalent to a freehold; (d) about 1577 he brought his wife Mary Arden here to live; (e) [Margareta], [Anna], William, Gilbert, Richard, Joan, and Anne very likely were born in this house (unless John Shakespeare was occupying, by lease, the properties adjacent to the west, for which, however, there is no jot of evidence); (f) a Survey of October 1590 shows John Shakespeare was occupying this tenement: "*Johannes Shackspere tenet libere unum tenementum cum pertinenciis per redditum per annum vi^d secta curie*"; (g) perhaps it was here that John Shakespeare lived when, in 1552, he, with others, was fined for permitting a heap of *stirquinarium* to accumulate in the street; (h) this was his glover's [wool, too?] shop, with sleeping quarters (?) overhead; (i) it escaped the disastrous fire of 1594, as did Wedgwood's and Hornby's, but Gilbert Bradley's appears to have been partly burned; (j) in 1601 (John Shakespeare died in 1601, Mary Shakespeare in 1608), the property was leased to Lewis Hiccox, a "stranger" from Welcombe; (k) in 1603, Hiccox turned it into an Inn (Maidenhead ?); (l) in 1639 the Hall and Nash settlement reads: "nowe or late in the occupation of Jane Hiccox widdowe"; (m) in 1598 John Shakespeare sold seventeen square feet on his eastern boundary to Edward Ellis.

Middle House: (a) In 1575 it was bought by John Shakespeare from Edmund Hall by a fine as "*duobus mesuagiis duobus gardinis et duobus pomariis cum pertinenciis*"; (b) it is

not known whether John Shakespeare occupied the East House or a house in Greenhill Street before he purchased the Middle House; (c) Edmund, the youngest son, may have been born here; (d) tradition only makes this the birthplace of William Shakespeare: William was



Approximate position of the three parts of the Henley Street properties, described as East House, Middle House, and West House, now conventionally called The Birthplace. Gardens and orchards are said to have been attached to Middle House and West House at one time. West House was burned in 1594.

born eleven years earlier, in 1564; (e) no evidence in John Shakespeare's day of its ever having been a shop of any sort; (f) the room above the ground-floor room is conventionally pointed out as the actual birthroom; (g) on the walls of this room are written hundreds of names of visitors from all parts of the world—Irving's, Scott's, etc.; (h) in 1601 William and his mother let his sister Joan Hart and her husband William Hart (†1616) occupy these premises and leased the East House to a stranger (Hiccox) from Welcombe; (i) this premise escaped the 1594 fire; (j) the Back (north) of this property was the dwelling to which William Shakespeare brought his bride to live in November 1582; (k) this Middle House and the East House were united by internal doorways; (l) the long occupancy of this property by the Harts (they were descendants of the Shakespeare family)

finally led to the tradition of its being the actual birthplace.

West House: (a) In 1575 it was purchased, by a fine, as a part of "two houses, two gardens, and two orchards," which included the Middle House and this West House; (b) it appears to have been leased to William Burbage, who, in 1582, demanded cancellation of the lease and attendant damages, all of which was refused by John Shakespeare though the lease was canceled and Burbage was awarded a repayment of £7; (c) it was burned or else pulled down by firehooks in the conflagration of 1594; (d) this West House was not rebuilt by John Shakespeare; (e) in 1597, John Shakespeare, for 50s., sold to George Badger a "toft" (a parcel of land on which once a building had stood) off the west end of his premises for Badger's reconstruction of his own house after the burning of 1594; (f) the rest of the West House was leased as a barn to Robert (?) Johnson.

C. These properties purchased by John Shakespeare are mentioned in October 1590 in a return to a commission issued out of the Exchequer for the survey of the possessions of Ambrose, Earl of Warwick, which is preserved at the Record Office in Carlton Ride. The Earl of Warwick, to whom Elizabeth had granted the Stratford Manor in 1562, died without issue in 1589, and the manor consequently reverted to the Crown. The list of Henley Street tenants is here given *in extenso* as Document 40. J. O. Halliwell-Phillipps (*Life of William Shakespeare*, pp. 73-74) first printed this document, which is now among Miscellaneous Documents in Stratford-upon-Avon.

It is to be noted that tenancies were owned, in Henley Street, by the Corporation ("Ballivus et burgensis"), John Clopton, George Whateley, John Combe, College of Stratford, Richard Hornby, John Wheler, John Shakespeare, George Badger, John Johnson, Richard Quiney, Peter Smart, John Turner, Adrian Quiney and William Smith. These were well-known townsmen and, some of them, close neighbors of John Shakespeare. Their tenancies were held

[DOCUMENT 40]

[LIST OF HENLEY STREET TENANTS, FROM A SURVEY OF THE POSSESSIONS OF THE EARL OF WARWICK, 1590]

Vicus vocatus Henley Strete.

| | |
|--|----------|
| Ballivus et burgenses villæ de Stretford tenent libere unum tenementum cum pertinentiis per reddit. per annum viij.d. sect. cur. | viij.d. |
| Hæres Johannis Clopton gen. tenet libere unum tent. cum pertinentiis per redd. per annum viij.d. sect. cur. | viij.d. |
| Georgius Whateley tenet libere unum tent. cum pertinentiis per reddit. per annum iij.d. sect. cur. | iiij.d. |
| Idem Georgius tenet libere unum tent. cum pertinentiis per reddit. per annum xij.d. sect. cur. | xij.d. |
| Johannes Combes gen. tenet libere unum tent. cum pertinentiis per reddit. per annum | iiij.d. |
| Ballivus et burgenses villæ de Stretford tenent libere unum tent. cum pertinentiis per reddit. per annum vj.d. sect. cur. | vj.d. |
| Idem ballivus et burgenses tenent libere unum tent. cum pertinentiis, et reddit. per annum | viij.d. |
| Nuper gardian. Collegii de Stratford tenuit libere unum tent. cum pertinentiis per reddit. per annum viij.d. sect. cur. | viij.d. |
| Idem nuper gardian. Collegii de Stretford tenuit libere unum molendinum equinum cum pertinentiis per reddit. per annum iij.d. sect. cur. | iiij.d. |
| Ballivus et burgenses villæ de Stretford tenent libere unum tenementum cum pertinentiis per reddit. per annum iij.d. sect. cur. | iiij.d. |
| Ricardus Hornebie tenet libere unum tent. cum pertinentiis per redd. per annum v.d. sect. cur. | v.d. |
| Johannes Wylles tenet libere suum tent. cum pertinentiis per reddit. per annum vj.d. sect. cur. | viij.d. |
| Johannes Shakespere tenet libere unum tenementum cum pertinentiis per redd. per annum vj.d. sect. cur. | vj.d. |
| Idem Johannes tenet libere unum tent. cum pertinentiis per redd. per annum xiiij.d. sect. cur. | xiiij.d. |
| Georgius Badger tenet libere unum tent. cum pertinentiis per redd. per annum x.d. sect. cur. | x.d. |
| Johannes Ichyuar tenet libere unum tent. cum pertinentiis per reddit. per annum xij.d. sect. cur. | xij.d. |
| Ballivus et burgenses villæ de Stretford tenent libere unum tent. cum pertinentiis per redd. per annum iij.d. sect. cur. | iiij.d. |
| Idem ballivus et burgenses tenent libere unum tent. cum pertinentiis per redd. per annum | iiij.d. |

[Continued on page 116]

libere, which meant that they were virtually a free tenancy—free from the Lord of the Manor. John Shakespeare was accredited with two such. Apparently these tenancies were adjacent to each other; in any case, they were listed in immediate sequence in this 1590 survey. Since they appear to have been in juxtaposition to each other, it is certain that these two properties held by John Shakespeare were actually (1) the East House, the tenement he purchased in 1556, and (2) the Middle House and the West House, which he purchased in 1575. The yearly rental charge assigned to John Shakespeare was virtually nominal: "vj^d" (about \$1.00) for one and "xiiij^d" (about \$2.00) for the other. Each was described conventionally as "*unum tenementum cum pertinentiis*"; it was not described as a "messuage." But a close examination of the entire list reveals that nearly every one of the tenancies in Henley Street was described merely as a tenement with the appurtenances; that is, they were identified as the original burgages⁶ of the Stratford Manor were described and not in terms of the buildings which may have been erected later upon the small strips of land.

From the October 1590 Survey of the same properties, a goodly number of the tenants in the immediate vicinity may be identified. Other documentary evidence supplies some additional facts. In identifying the neighbors of John Shakespeare, the work of Fripp in his notes and introductions to *Minutes and Accounts of the Corporation of Stratford-upon-Avon* and in *Shakespeare Studies* and that of Halliwell-Phillipps in his *Outlines* (I, 377-80) were of great assistance. The first entries listed here and also shown on the chart are located in Bridge Street, which runs into Henley Street⁷ and hence are not listed in the portion of the Survey which is here reproduced.

Swan: (a) Across the street (south) was the Bear Inn; (b) the Swan and the Bear were two of the most impor-

⁶ The original Stratford was thus laid out.⁷ See map of Stratford, facing p. 110.

tant inns in Stratford-upon-Avon; (c) Thomas Dixon alias Waterman was the proprietor; (d) Dixon's wife Jane was from Snitterfield; (e) Dixon was a glover from whom John Shakespeare, Fripp opines, learned his glover's trade; (f) Sir Thomas Lucy and Sir Fulke Greville and the lame Earl of Warwick stopped at these inns; (g) Dixon was an alderman.

Field: (a) Henry Field, tanner, father to Richard Field, who published *Venus and Adonis* (1593) and *Lucrece* (1594); (b) John Shakespeare (William's father) valued his goods in 1592 when Henry died. (See Stopes, *Shakespeare's Warwickshire Contemporaries*, chapter i, on "Richard Field.")

Shakespeare: (a) John Shakespeare the *corviser*; (b) a native of Warwick; (c) was supposed to have been a young kinsman to John Shakespeare the glover; (d) an "aletaster" and "constable"; (e) his second wife was the widow of one Roberts of Stratford; (f) in 1584 he married a third time; (g) retired about 1594; (h) in 1624 he died in Warwick. (See Halliwell-Phillipps, *Outlines*, II, 137-40, for additional details.)

Ainge: Richard Ainge, of whom virtually nothing is known.

Angel Inn: (a) The Fourth Inn of the town; (b) Ralph Cawdrey, a butcher and a Catholic, was the tenant under the Corporation; (c) it was an ancient hostelry.

Smith: (a) William Smith; (b) a haberdasher; and (c) a yeoman; (d) was William Shakespeare's godfather (?); (e) he was industrious and prosperous; (f) obstinate and continually at variance even with the Corporation; (g) three of his sons became gentlemen; (h) he was a militant Protestant; (i) had a son Francis, who was also a haberdasher in High Street. Fripp (*Minutes and Accounts*, IV, 95, n. 1) identifies this property as the one entered to the Corporation in the first entry of the Survey. This is the first property in Henley Street.

Whateley: (a) George Whateley, woolen-draper and yeoman; (b) was a native of Henley-in-Arden; (c) was a

former member of the Corporation; (d) had been an alderman; (e) was twice High Bailiff; (f) was a strong Catholic and paid secret annuities to two of his brothers who were priests; (g) warden of Clopton Bridge; (h)

for Richard Hornby. Halliwell-Phillipps says that a William Wilson, whittawer, is mentioned as tenant in 1577 and that the house was rebuilt for him shortly after the fire of 1594.

The Mere: This was an open water-

| | |
|---|---------|
| Ricardus Quiney in jure Elizabethæ uxoris ejus tenet libere unum horreum per reddit. per annum | iiij.d. |
| Idem Richardus tenet libere unum tent. cum pertinentiis per redd. per annum xij.d. sect. cur. | xij.d. |
| Petrus Smarte tenet libere unum tent. cum pertinentiis per redd. per annum vj.d. sect. cur. | vj.d. |
| Ballivus et burgenses villæ de Stretford tenent libere unum tent. cum pertinentiis per redd. per annum xij.d. sect. cur. | xij.d. |
| Johannes Whelar tenet libere unum tent. cum pertinentiis per redd. per annum iiij.d. sect. cur. | iiij.d. |
| Idem Johannes tenet libere unum tent. cum pertinentiis per redd. per annum x.d. sect. cur. | x.d. |
| Idem Johannes tenet libere unum tent. cum pertinentiis per reddit. per annum vj.d. sect. cur. | vj.d. |
| Johannes Turnor tenet libere unum tent. cum pertinentiis per reddit. per annum | vj.d. |
| Ricardus Quayney tenet libere unum tent. cum pertinentiis in jure Elizabethæ uxoris ejus per reddit. per annum vj.d. sect. cur. | vj.d. |
| Adrianus Quayney tenet libere unum tent. cum pertinentiis per reddit. per annum | ix.d. |
| Willielmus Smyth tenet libere unum horreum cum pertinentis per reddit. per annum | vj.d. |
| Nuper gardian. Collegii de Stretford tenuit libere unum tent. cum pertinentiis per reddit. per annum v.d. sect. cur. | v.d. |
| Summa vici prædicti, xvij.s. vij.d. | |

his house burned in 1594. He is mentioned in the third and fourth entries in the portion of the Survey quoted as paying two rentals, "iiij.d." and "xij.d."

Bradley: (a) Gilbert Bradley, a glover and brother craftsman of John Shakespeare; (b) he was godfather (?) for Gilbert Shakespeare in 1565; (c) this house was partly destroyed by the fire of 1594; (d) this house was Corporation property then and is now. Halliwell-Phillipps and Fripp identify this property as the one listed in the Survey in the entry immediately preceding that

course which passed through Rother Market down Rother Street to Tinkers Lane, thence east down Tinkers Lane and Walkers Lane, by New Place, to the Avon.⁷

Hornby: (a) Richard Hornby the

⁷ This is the course of the mere which was suggested by Richard Savage and supported by E. A. Fripp (*Shakespeare's Stratford*, p. 16). The latter states that the present surface level and the probable connection of the stream in Dead Lane with that in Rother Street support their view. Halliwell-Phillipps, however, believed that the mere flowed from Rother Street across Henley Street into the Gild Pits and from there into the Avon at a point near the bridge (*Outlines*, II, 157).

blacksmith (see *King John*, iv, ii, 193-98); (b) his smithy was on the spot where the present ticket-office of the Birthplace Museum stands; (c) his house was not burned in 1594; (d) in 1620 Thomas Nash (husband of Elizabeth Hall) bought it and his 1647 will describes it; (e) in 1903 Andrew Carnegie presented the property to the Trustees of the Birthplace. Hornby, according to the Survey, paid a rental of "v.d."

Wedgwood: (a) Thomas Wedgwood, the tailor; (b) was an ecclesiastic; (c) in 1594 this house was not burned; (d) in 1575 Wedgwood sold these two houses to Edward Willis; (e) in 1903 Andrew Carnegie presented this property to the Trustees of the Birthplace.

Shakespeare: (a) John Shakespeare the glover; (b) had three houses; (c) was an alderman; and (d) was High Bailiff; (e) was the father of William Shakespeare.

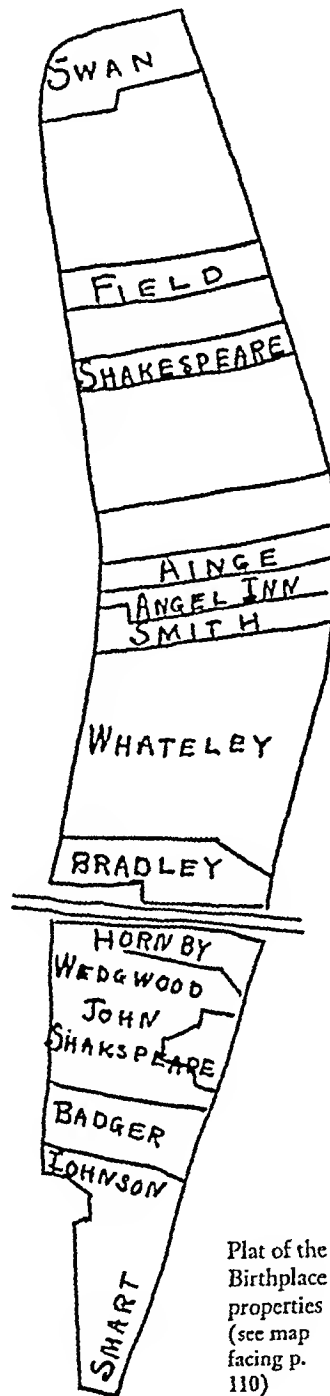
Badger: (a) George Badger, the woolen-draper; (b) was an obstinate Catholic; (c) and a prominent townsman; (d) his house burned in 1594; (e) in 1597 he bought a strip of land 84 by 1½ feet for 50s. from John Shakespeare off the West House premises. Badger paid a rental of "x.d." and his property is listed in the Survey immediately after the entries for John Shakespeare.

Johnson: (a) Robert Johnson, yeoman, acquired possession of his house, which the survey listed to John Ichavar, in 1591; (b) his house burned in 1594; (c) he rebuilt the house and made an inn of it; (d) he had a son, Michael, who continued the inn; (e) the inventory, October 5, 1611, of his goods mentions William Shakespeare's property in Henley Street.

Smart: (a) Peter Smart; (b) was a brother of William Smart, the former schoolmaster; (c) was a chamberlain; (d) his son, William, was also a tailor. (e) Smart's rental was "vj.d."

To the rear of the Middle House, and somewhat at right angles to it, was the "Back" of the John Shakespeare Henley property. It projected northward into what is now the rear garden. It had, on the ground floor, a large open fireplace

and kitchen with a back parlor to the rear. A stairway led to the upper floor, which may well have been utilized as



Plat of the Birthplace properties (see map facing p. 110)

sleeping quarters. It was virtually separate from the rest of the house, and it had a private entryway. Here, it is extremely likely, William Shakespeare and

Anne Hathaway came to live when they were married in November 1582. Since the eldest son was to inherit the family estate, it was customary for him to bring his bride home to live. It was so with Stratford Smiths, Hornbys, Rogerses, Reynoldses, Webbes, Hathaways, Parsones, Wheelers, Sadlers, Quineys, and others. Idle gossip and perhaps a little scandal would have cropped up had some other course been followed. They were close quarters, but they served for the little family until 1597 when William purchased New Place, where he and Anne lived to the end of their lives, 1616 and 1623. It was in this "Back" doubtless that his oldest daughter, Susanna, was born in 1583; here, too, his twin children, Hamnet and Judith, were born in 1585. It was here perhaps that Hamnet died in August 1596. It is extremely unlikely that it was in the "solar" (attic room) of this "Back" that young William Shakespeare composed *Venus and Adonis* before he went to London, as held by Edgar I. Fripp (*Shakespeare's Stratford*, p. 26). *Venus and Adonis* seems entirely too literary, after the London current literary fashion, to have been conceived and produced by Shakespeare in the Stratford environment, even with the most generous allowance for the literary taste and acquirements of Shakespeare's own native town in 1593. Nor is it probable that here, too, he wrote the anguished scenes of Constance, mother of Prince Arthur, in *King John*, composed about 1596. The likelihood is that Shakespeare's connections with his London dramatic company kept him in direct contact with it in London.

The architecture of the Henley Street properties—at present conventionally looked upon as a unit, whereas, in fact, it was three originally separate houses in juxtaposition—was of the substantial type in favor in rural Warwickshire during the first quarter of the sixteenth century. Yet the Birthplace property also exemplifies an architecture of the early medieval period. The houses, of course, have undergone many remodelings; however, the general construction apparently remains antique, even if it does

not exactly resemble the original. The structural evidence of three houses is still apparent even to the casual observer.

Houses of that period commonly rested on a low foundation wall of local limestone or on a ground sill of heavy oak timber. Upon this was placed a mortised framework of oak gripped at each end, sometimes with iron straps. The whole upper structure was given a degree of stability by massive chimney stacks in the central part of the structure, with fireplace facilities thus provided in each room on each floor. Fireplaces were the only important means of heating. Some of the poorer houses did not have these commodious chimney stacks and fireplaces, but, rather, had the fire kindled on the stone or earthen floor, the smoke escaping as best it could through open windows or through a hole in the roof. These Henley Street properties appear to have had a heavy-timbered roof with thatch (or stone or tile) covering it. If the Birthplace in the time of John Jordan (as he so says in his questionable account of his discovery of the spiritual last will and testament of John Shakespeare) was covered with tiles, they have long since disappeared; and at present it has a heavy shingle roof. The likelihood is that John Shakespeare's home had had a thatched roof continuously from the much earlier period of its erection.

Conventionally the lower story was a stouter story of "close-timbered" heavy oak (leaving rather narrow perpendicular spaces). The upper or second floor, which often overhung the lower floor, was commonly of "square-timbered" but less heavy oak (leaving rather large, square spaces). The topmost part of the house was the "solar" or "cock-loft," with pointed roof and usually gables. Thus, as today, the Birthplace perhaps had three such gables. The very "close-timbered" lower part of the building suggests work of the early medieval period. Much of the interior original overhead heavy oak timber remains *in situ*.

The open spaces in the "close-timbered" lower story were filled with

lath, and those of the "square-timbered" with wattles. These lath and wattles were first daubed with a native tough clay, which when dry and cracked open was "pargetted" or plastered with a mixture of lime, chalk, ochre, dung, or hair. This "pargetted" surface in turn was finished with a covering of fine cement. The result was a wall surface of a delectable whiteness and an exact smoothness. Harrison's "Description of England" (1577) speaks admiringly of this smooth whiteness. The large oaken framework of the house proper, including the structural part of the roof, was mortised and pinned together with large wooden pegs. Tiles or stone for the roof were fastened with wooden pegs or with stagbone splinters. Wooden pegs, too, were used to fasten the heavy flooring, if the house boasted something better than a hard-tamped earthen floor. Few nails were used in such a house.

Such iron hinges, latches, ornamental signs, weathercock, etc., as were used were rather expensive and the work of some skilled smith. Locks, if used, were of hand make by a special craftsman, the locksmith. Commonly ground floors were of clay in a framework of timber. The ceilings were not very far above one's head, and they were supported by heavy oak beams that often showed the dark coloring of smoke, age, and usage. The great open fireplaces, with their cranes, pots, pothooks, cressets, and irons, polished pans, and such, were the centers for intimate family gatherings and, in the kitchen, for most of the family cooking.

Indoors, such a timbered house was cozy despite the lack of those household effects today called modern conveniences. No carpets adorned the floors. Rather, rushes, replenished in the springtime as a house-cleaning process, covered the floors. Earthen floors were sanded in geometric patterns. The hall was the general meeting place and reception room; another room was a combination sitting and sleeping room; inner chambers were private sleeping rooms. Most of such sleeping rooms, however, were on the second floor. Painted cloths on the walls, cushions,

and carpets (table coverings) were in the better houses. Chests, coffers, wooden benches, three-legged stools, and boards on sawhorses (for tables) were there. Curtains sometimes decorated the windows if glazed, but commonly the window was a mere aperture closed by a large wooden door. Rush candles (rushes steeped in tallow), leathern water jugs, wooden trenchers each with a hole bored in one corner for one's thumb as a means of holding it, pewter spoons, very few if any knives or forks, and a large saltcellar were conventional. A spinning wheel, a kneading trough or board, a malt quern, a mustard mill, a candle mold, latten (brass) basins, brass kettles, and iron pans were familiar household articles. The Dutch oven for baking, the latticed inglenook by the fireplace for flitches of bacon, strings of dried apples, beans, and other vegetables and herbs hanging from the overhead beams were likewise in every yeoman's house. The buttery, the apple-chamber, the bolting-house, the wood-house, the malt-house, and the "yeling-house" where the beer was cooled were also well-known accessories of a model home.

The subsequent history of the John Shakespeare Henley Street property, like that of the William Shakespeare New Place, has its intricacies and difficulties. In part, they can be clarified. In the absence of documentary evidence definitely to the contrary, it is reasonably certain that John Shakespeare himself occupied the premises (one purchased in 1556 and two in 1575) until his death in 1601. On his death the property probably passed to his oldest son, William, with a life interest in it reserved for his wife, Mary (Arden) Shakespeare. It seems, too, that the oldest daughter Joan, William's sister, who was married to William Hart, a hatter, lived there with her husband. However, documentary evidence does not show whether or not Joan and William Hart lived in the Henley Street property between 1601-1608 and in 1616. The East House had been leased, apparently as early as 1601, to a stranger, Hiccox, from Welcombe. In 1603 Hiccox

turned the East House into an inn, perhaps the Maidenhead. In 1639, it was occupied by "Jane Hiccox widdowe." It seems that Joan and William Hart occupied the Middle House—the West House having been pulled down or partly burned in the fire of 1594—until the death of William Shakespeare in 1616, when he bequeathed her a life lease, for but a nominal yearly rent, of the Henley Street property. Joan's husband had died only a few days before William himself died; but she lived until 1646. Legal title to the Shakespeare estate entail, however, was vested by Shakespeare's will of 1616 in his own older daughter, Susanna, who had married (1607) John Hall, physician (†1635). The 1639 indenture, by which Susanna Hall and Elizabeth Nash (Elizabeth Hall, daughter of Susanna and John Hall, who had married Thomas Nash in 1626) barred the entail of the Shakespeare estate in favor of their own issue only, describes the Henley Street property as "all those two [the West House had been pulled down in 1594 and never rebuilt] other messuages or tenements with thappurtenaunces scituate and bein in Stratford upon Avon aforesaid, in a certaine streete there called Henley streete, and nowe or late in the severall occupacions of Jane Hiccox and Johan Hart, widdowes" (see Document 113, below; original document in Birthplace Museum, Stratford).

In 1647 (Document 115, below), necessitated by the fact that Thomas Nash made a bequest of the Shakespearean property to his own nephew, Susanna Hall and Elizabeth Nash (her husband Thomas Nash had died in 1647) barred the entail of the Shakespeare family inheritance in favor only of their issue. This was but in accord with the legal requirements of Shakespeare's will of 1616. The indenture describes the property as: "all that messuage or tenement with thappurtenaunces scituate and beinge in Stratford upon Avon aforesaid, in a certen streete there called Henley Streete, commonly called or knowne by the name of the Maidenhead, and now or late in the tenure of John Rutter or his assignes; and all that other

messuage or tenement scituate and beinge in Henley Streete aforesaid, now or late in the tenure of Thomas Hart, and adjoyninge unto the said messuage or tenement called the Maidenhead, and all and singuler houses, edifices, buildings, chambers, cellers, sollers, lights, easements, barnes, stables, backsides, orchardes, gardens, profits, and commodities whatsoever" (see chapter xli, p. 244). This document definitely—and for the first time in the extant legal writings—identifies one of the messuages (East House) as the Maidenhead and describes the other messuage (Middle House) as in the tenure of Thomas Hart.

In July 1649 Susanna Hall died and the Shakespeare family inheritance passed to her daughter Elizabeth Nash. In 1649, Elizabeth Nash married John Barnard—Sir John after 1661, when he was knighted by Charles II. In 1653, by indenture, Elizabeth Nash-Barnard placed the Shakespeare inheritance in trust to Henry Smith and others, subject, however, to disposal by her in some writing or in her will. Lady Barnard's will of 1670, when she died without any legal issue, devised the Henley Street property to Thomas Hart, grandson of Joan Hart, and his issue, but with the legal remainder to his brother George, a tailor. This part of the will reads thus: "Item, I give and devise unto my kinsman, Thomas Hart, the sonne of Thomas Hart, late of Stratford-upon-Avon aforesaid, all that my other messuage or inne, situate in Stratford-upon-Avon aforesaid, commonly called the Maydenhead, with the appurtenances, and the next house thereunto adjoyning, with the barne belonging to the same, now or late in the occupation of Michaell Johnson or his assignes, with all and singuler the appurtenances, to hold to him, the said Thomas Hart, the sonne and the heires of his body; and for default of such issue, I give and devise the same to George Hart, brother of the said Thomas Hart, and to the heires of his body; and for default of such issue, to the right heires of me the said Elizabeth Barnard, for ever." This Thomas Hart was, of course, a blood cousin of Lady

Barnard. Up to the time of Lady Barnard's death in 1670, the Henley Street property appears to have been occupied, by permission or by lease, by the Harts descended from Joan (Shakespeare) Hart, William Shakespeare's oldest sister. Her will of 1669 legally placed the future actual ownership of the Birthplace properties in the custody of these same Harts.

Thomas Hart, to whom Lady Barnard bequeathed the Birthplace, died childless. George Hart, his brother, to whom the property then passed, in 1694 bequeathed the premises to his own son, Shakespeare Hart. In 1727, financial difficulties befell these Harts, in consequence of which Shakespeare Hart mortgaged the property for £80. Dying in 1747, Shakespeare Hart devised the Birthplace to his wife Anne, who on her death in 1753 devised it to her husband's nephew, George Hart. In 1771, this George Hart sold the western ground floor and the room over it, all of which some time previously had been formed into a tenement. On George Hart's death in 1778 the property passed to his own son, Thomas Hart, who was born in 1729. On the death of Thomas, in 1793, the "woolshop," obviously the East House, was devised to his son John, a turner, of London, and the Birthplace, obviously the Middle House, to his son Thomas, a butcher of Stratford. In 1796 Thomas conveyed the Birthplace to his brother John, who, dying in 1800, bequeathed both properties to his widow during her natural life with legal remainder to his three children. Documentary evidence in the form of the Wheler-Hart correspondence (MSS in the Folger Shakespeare Library) indicates that the Harts encountered more and more poverty. They mortgaged the Henley Street property, and finally in July 1806 sold their interest to Thomas Court and left Stratford. Thus for more than two centuries the Harts continued to possess the Henley Street property. Court, by his will, directed the property to be sold after the death of his wife, who died in 1846.

A Committee of Trustees for the nation then became active. On Septem-

ber 16, 1847, for the English-speaking peoples the world over, the property was purchased by this Committee at public auction for £3,000. The Birthplace and other Shakespeare properties in and about Stratford-upon-Avon are now under the control of Trustees and Guardians of Shakespeare's Birthplace in perpetuity. The Birthplace Trust was incorporated by Act of Parliament in 1891, when the Trust was legally invested with the New Place estate, which had been independently purchased in 1862, in addition to the Birthplace premises.⁸ In 1892, in accordance with the provisions of the 1891 Act of Parliament, the Birthplace Trustees purchased Anne Hathaway's cottage at Shottery. In 1933, they acquired also Mary Arden's home out at Wilmcote.

D. Five documents in the Folger Shakespeare Library (MS 447, a Halliwell-Phillipps manuscript) throw light on the Harts and the Birthplace in the late eighteenth and early nineteenth centuries. These manuscripts contain the rather elaborate correspondence relative to the sale of the Henley Street property—1793–1806. R. B. Wheeler's letters are "copies" which he retained. This R. B. Wheeler was a solicitor of Stratford and the author of the *History and Antiquities of Stratford-upon-Avon* (1806) and *Historical Account of the Birthplace of Shakespeare* (1824, 1863).

1. Folger MS 447 contains a letter from John Hart to R. B. Wheeler dated Tewkesbury, July 15, 1794, requesting a loan of £30 on the Henley Street property. In this letter is evidence of the growing financial difficulties of the Harts. Moreover, the Birthplace property was identified as "My Hous the Sine of the Swan & Maidenhead in henley Street Stratford upon Aven." The spelling was less literate than one would expect in a letter written as late as 1794. The letter is here given as Document 41.

2. Folger MS 447 contains a letter ("Copy," so endorsed) from R. B. Wheeler to "Mrs. Hart Tewksbury," dated October 7, 1802, which indicates the ru-

⁸ Halliwell-Phillipps contributed generously himself and was instrumental in raising £5,000 for the purchase of New Place.

[DOCUMENT 41]

[LETTER FROM JOHN HART TO R. B. WHEELER, CONCERNING
A LOAN ON THE HENLEY STREET PROPERTY, 1794]

Sr

I should Esteeme it a faver If you will
Aask Mr Smith of Old paster for 30^L and to
Levy it on My Hous the Sine of the Swan &
Maidenhead in henly Street Stratford upon Aven
If you think My Brother Thomas Hart Can
Make Me Safe in Sadowen or Other ways
plest to Give Me a Line & I Will Com
Over To you

From yours Iohn Hart

Tewkesbury
July 15 1794

[*Addressed*]: Mr Weller Turney at

Law Old Town Stratford
Upon Aven Warwick Shire^w

[DOCUMENT 42]

[LETTER FROM R. B. WHEELER INDICATING THE RUINOUS
CONDITION OF THE BIRTHPLACE PROPERTY, 1802]

Madam

M. Iobson desired me to give you
aline & inform you that the mound in the
Yard and some parts of the Buildings are in
such a ruinous State that unless something is
done to them before Winter it will be impossible
to inhabit them & behopes that either some of
the family will come up to Stratford or otherwise
give Directions for the necessary Repairs I request
your Answer & am your very Hble Sevt.

Mr^s Hart
Tewksbury

R. W.
7th Oct. 1802

inous condition of the Birthplace property. The "M. Iobson" was the tenant of the East House—a Joseph Jobson. This letter is here reproduced as Document 42.

3. Folger MS 447 contains a letter ("Copy," so endorsed) from R. B. Wheeler "To Mr^s Hart Tewksbury," dated October 11, 1804, which shows that (a) the Birthplace property was still in

a ruinous condition, that (b) John Hart had received the mortgage loan of £30 from Mr. Smith (Benjamin) as desired according to the letter (Document 42) dated July 15, 1794, but had not been paid back, and that (c) the sale of the property was being considered. Intervening correspondence shows that Mr. Benjamin Smith had been disappointed

services in effecting the sale of the premises. The £150 due Mr. Benjamin Smith indicates that the Harts induced Smith to advance more than the original £30 mentioned in the letter of July 15, 1794. The letter is here reproduced as Document 44.

5. Folger MS 447 (Halliwell-Phillips, *Calendar of Rarities*, No. 102) is

[DOCUMENT 43]

[FURTHER LETTER OF R. B. WHELER, 1804]

Madam

—The Person who applied for the—
Price of your Houses has look'd over the Premises & now declines purchasing them on account of the high Price & the badness of their Repairs. Mr. Smith insists on having his Money and says we must come to an immediate Determination upon the Business I have no Client who is willing to—advance the Sum upon them & they are daily getting worse in value—If you cannot get the Money to pay off Mr. Smiths Mortgage I must beg you will not fail sending me now by Return of Post whether you would wish me to immediately advertize them for Sale—as I should think that the best mode of disposing of them—I will also beobliged to you to send me Copy of your late Husbands Will—

I remain Madam

To Mr^s Hart
Tewksbury

Your Obt. Sevt.
R. W.
11. Oct. 1804

at Hart's not having paid the mortgage loan. This letter is Document 43.

4. Folger MS 447 contains a letter from R. B. Wheeler to "Mr^s Hart Chair-maker Tewksbury Gloucestershire," dated October 20, 1806, which shows that the sale price for the Birthplace was £210 (perhaps about \$2,000 in early nineteenth-century values). Out of this £210, R. B. Wheeler had paid Mr. Smith's principal (mortgage loans) of £150 and also interest totaling £10 13s. Wheeler had already paid Mrs. Hart £21. There then remained £31 17s. 6d., a sum not sufficient to pay Wheeler for his

"Draft Conditions of Sale of Birthplace" which supplements the Wheeler-Hart correspondence as given above in Folger MS 447 (a Halliwell-Phillips manuscript but not listed in *Calendar of Shakespearean Rarities*). Because of the information contained in it, the original interlineated copy rather than the shorter and corrected "fair copy" (it also is preserved in this Folger MS 447) is here given in full, as Document 45. The manuscript was endorsed "Feb: 1805." The sale was to be March 7, 1805. The final sale, however, was in July 1806, and the purchaser was Thomas Court.

The content of this sale advertisement clarifies a number of matters: (a) the Birthplace, in 1805, consisted of "Two Freehold Houses" (the West House had never been rebuilt after the disastrous fire of 1594), stables, outbuildings, and yards. (b) It was situated in Henley Street in the borough of Stratford-upon-Avon. (c) One of the two houses (the East House) for more than a century had been used as a public house "known by the Sign of the Swan & Maidenhead." (d) This Swan and Maidenhead was then occupied by "Ios: Iobson." (e) Adjoining this Swan and Maidenhead was a butcher shop (the Middle House) in the occupation of William Hornsby, butcher. (f) The rear of the premises opened to the "Great London Road" (the Gild Pits to the north). (g) The Birthplace was "in tolerable good Repair." (h) The "House occupied by W^m Hornby" (the Middle House), the butcher, was designated as the one in which "our Imortal Bard Shakspeare was born about the middle of the 16th Century." (i) Since that time the Birthplace had "continued in the Possession of the Harts Family the present Proprietor being the 7th Descendant in direct Line from Joan the Eldest Sister of the Poet."

From this sale advertisement it is clear that it was the Middle House that Stratford of 1805 understood to have been the birthplace of William Shakespeare, though it was an erroneous belief; and that the Birthplace had been in the possession of the Hart family from Shakespeare's day until 1805.

Where, then, was William Shakespeare born? The records and documents throw no authoritative light whatsoever on that point. A garnering of the facts is not out of place: (1) John Shakespeare owned the East House (purchased in 1556) in Henley Street, and William was born in 1564. (2) But John Shakespeare owned also a premise (bought in 1556 also) in Greenhill Street, and the birth of the dramatist may actually have occurred there. (3) John did not purchase the two houses (Middle House and West House), traditionally known as the Birthplace, be-

fore 1575, when, in fact, William had been born eleven years before, in 1564. (4) It is not known whether John Shakespeare resided in East House or in his house in Greenhill Street before his purchase of 1575. (5) The room on the second floor (the one above the ground-floor room), traditionally cited as the actual birthroom, must be accepted as such on the basis of tradition only; certainly there is no documentary evidence to support it, and the likelihood is exceedingly strong that this was not the birthroom. (6) The view of frank pledge of 1556 is the only known conveyance of property to John Shakespeare that definitely locates the property (East House in this instance) in Henley Street.

If, then, William Shakespeare saw the light of day in one of these three Henley Street properties, the probability is that he saw it in the East House—perhaps in the room above the ground-floor room. Modern Stratford, however, regards the West House as the birthplace. Likewise, present-day Stratford calls the East House the “Woolshop,” after Halliwell-Phillipps’ designation, when there is no documentary evidence that it was ever used for that purpose. From documentary evidence, then, it simply is not known in what house the dramatist was born. The late eighteenth- and early nineteenth-century belief of Stratfordians that it was the Middle House (in 1805 occupied by William Hornsby, a butcher) cannot be taken seriously. One thing is clear: not all the purchases and sales of John Shakespeare’s properties have yet come to light. Painstaking research, or mere accident, may yet discover them. Meanwhile the present “Birthplace” and its traditional “birthroom” will continue to be a literary Mecca for Englishmen the world over.

E. A plat or map of the Henley Street properties with the adjacent premises, executed in 1824 by W. Hemings, has come down to the present. It is reproduced here. Here the foundation plans of the three houses—East, Middle, and West—continue to appear. This plat definitely shows that a passageway separated East House from the Middle

House. Architectural evidence indicates that John Shakespeare cut doors or openings through the dividing partition in such a way as to connect the East House with the Middle House. A “Butcher’s Shop” and a “Bar” are indicated in the Middle House. The plan

At present, the Birthplace, restored and in excellent repair, is a Shakespeare museum and the repository of many original documents relating to the life and work of the poet. Its rare manuscript materials are available for examination by scholars. The muniment room

[DOCUMENT 44]

[LETTER RECORDING THE SALE PRICE OF THE BIRTHPLACE, 1806]

Madam

I received your Letters and previous to settling the Business I understood that Jobson’s Rent was left to pay M. Smith’s Interest but upon Enquiry there I found your Son had received it when at Stratford therefore out of the £210 purchase money & 3^l 11^s 3^d received for Rent I paid M. Smith’s Principal £150 & 1 year & ½ Interest £10, 13. /which Sums with the £21 paid you at Tewksbury leaves 31^l 17^s 6^d in my Hands which is—not sufficient to pay me for making out your Title to the Premises by Assignments of the Mortgages, the Fine with Comm^{rs} Fees Journeys & the Expences of advertizing Sale & other heavy Charges out of Pocket which I have been put unto in the Course of the Business & the Money I now have is at least £3 short was a regular Bill to be made—I therefore conclude you will rest—satisfied with this Statement.

I have been with Mr. Hornby who says he will see you at Tewksbury sometime in next month and settle his Rent there—

Mrs Hart
Chairmaker
Tewksbury Gloucestershire.

I am Madam
Your obedt. Servt.

R. W.
20. Oct. 1806.

of the adjacent premises cannot be entirely accurate and hence must not be taken too seriously. Certainly the “toft” (strip of land on which a building had once stood) of land sold, in 1597, to George Badger by John Shakespeare was not located where this sketch places it. The “toft” was 84 feet long and 1½ feet wide: hence, perhaps, it paralleled the length of the west side of John Shakespeare’s property line.

contains some 30,000 documents, not all of equal value in their relation to Shakespeare, to which additions are continually being made. The most recent contribution, by purchase, was the excellent manuscript collection of the late Rev. E. I. Fripp. Likewise a recent gift of materials consisted of deeds and other documents relating to White Lion Inn. Another recent collection comprises archaeological items from the recent exca-

PLAN OF

J. HARRISPEARE'S
BIRTH-PLACE.

Site of the Old Barn

1770

Sold by
Shakespeare Hart to
John Payton
in 1766

Sold

by Tho^r Hart to
M^r Herman Payton in
1771.

1771

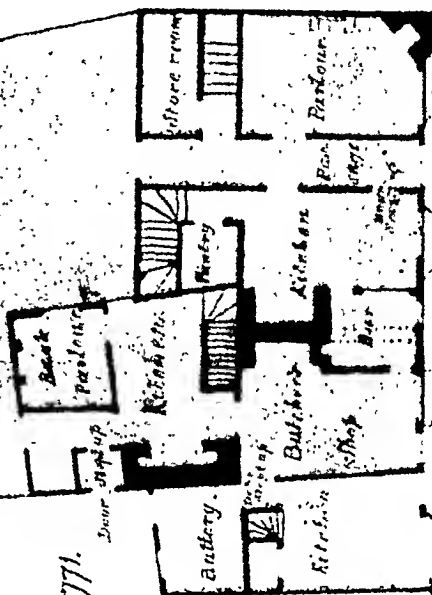
Sold by Tho^r Hart
to M^r Herman Payton in 1771.

Sold by
John Shakespeare
to George Badger
in 1597.

New M^r Good's

C. O. Hart in 1771.

Back Yard



H E N L E Y R E D

John Shakespeare

White Lion

visit New Place, and some 6,000 register at Mary Arden's home out at Wilmcote. The Birthplace is of interest to scholars as a repository for documentary materials, and to the layman as a museum displaying items of more general interest.

various of Roman Stratford. Not all the many documentary materials at the Birthplace have been accorded the criti-

[DOCUMENT 45]

[DRAFT CONDITIONS OF SALE OF THE BIRTHPLACE, 1806]

To BE SOLD by Private Contract Two Freehold Houses
with the Stables Outbuildings & Yards belonging to the same ^{eligibly} _Λ situate
in Henley Street in the Borough of Stratford upon Avon in the
County of Warwick—One of the ^{Which} _Λ Houses has been more than
a Century past & is now used as a Public House known by the Sign of
the Swan & Maidenhead now in the Occup^C of Ios: Iobson at the
~~ye low yearly Rent of £~~ ^{the above Premes &} The at House adjoins _Λ is now
a Butcher, in the Occupⁿ of W^m Hornsby, Butcher at the low
annual Rent of £—The Hold These Premes contain
in Length fronting the Street feet & in depth from the Street
to the ^{Great London} ~~Tewksbury~~ _Λ Road (to which the Back Gates Open) feet & are
in tolerable good Repair—It was in these ^{House occupied by W^m Hornby} ~~Places~~ our Imortal
Bard Shakspeare was born about the middle of the 16th Century Since
which Time they have continued in the Possession of the Harts Family
the present Proprietor being the 7th Descendant in direct Line from
Joan ~~Hart~~ the Eldest Sister of the Poet ~~who by his Will devised these~~
~~this Sister Premises to her~~
For further Particulars apply (if by Letter post paid) to ~~Mrs Hart of~~
~~Tewksbury Gloucestershire or~~ to Mr. Wheler A Solicitor Stratford
upon Avon

R

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XI

THE BAPTISM OF JOAN SHAKESPEARE, 1558

AMONG the "Baptisms" in the Parish Register of Stratford-upon-Avon, in which were regularly recorded the name of the father but not that of the mother of the child, is the entry given here as Document 46.

A comprehensive account of the Stratford Parish Register is given in chapter xiii, opposite.

John Shakespeare had married Mary Arden in (it is thought) 1556. The fact that the Stratford Parish Register does not begin before March 25, 1558, accounts for its not including the record of the christening of a possible earlier child. For Rowe ("Life," in his edition of Shakespeare, 1709-10) stated that there were ten children in the family, whereas there is record of but nine. Commonly a first daughter was named

for the mother; hence the name of an earlier child may have been Mary. No Mary occurs among the known children of John Shakespeare and Mary Arden.

the "a" was pronounced short and the second syllable was relatively unstressed. However, William's brother Gilbert signed his name "Gilbart Shakspeare,"

[DOCUMENT 46]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM OF JOAN SHAKESPEARE, 1558]

[1558]

Septēber 15 Jone Shaksperc daughter to John Shaksperc

"Shakspere" is the most frequent spelling of John Shakespeare's name in the Stratford Parish Register, though "Shakspere," "Shaxspere," "Shakspere," "Shakspeare," and "Shakespeare" occur once or twice each. The more frequent occurrence of "Shakspere" suggests that

retaining the "e" of the first syllable. See chapter xiv, below.

This "Jone" must have died in infancy; for the Register under April 15, 1569, records a second "Jone"—"Jone the daughter of John Shakespeare" (see chapter xv, below).

XII

THE BAPTISM AND BURIAL OF MARGARETA SHAKESPEARE, 1562, 1563

THERE are in the Stratford Register two entries concerning Margareta Shakespeare, each in Latin, given here together as Document 47.

John Shakespeare had a brother

"Henrey Saksper"—so the Snitterfield Parish Register for December 29, 1596, spells his name—whose wife was Margaret (buried February 9, 1597). Margareta was perhaps named for her aunt.

Thus far in their lives John and Mary

Shakespeare were unfortunate in their children. Not only this Margareta but also the earlier daughter Joan and perhaps a still earlier daughter (Mary ?) had been born to them and had died in infancy, as shown in chapter xi, above.

[DOCUMENT 47]

[STRATFORD PARISH REGISTER ENTRIES RELATING TO
MARGARETA SHAKESPEARE, 1562, 1563]

[1562, Baptisms]

December 2 Margareta filia Johannis Shaksperc

[1563, Burials]

April 30 Margareta filia Johannis Shaksperc

This situation was nevertheless quite common. High infant mortality prevailed in Elizabethan England, as indeed it has obtained until fairly recently

in all parts of the world and in all ages. The history of the Shakespeare family would doubtless have been far different had the science of medicine then been developed to its modern stage.

Moreover, as indicated in subsequent chapters of this work, the budding ambition of John and Mary to conform to the prevailing movement of yeoman families to the higher stage of landed gentry was as yet frustrated by their failure to produce a son. It was to be nearly two years before their ambition could begin to be capable of realization.

XIII

THE BAPTISM OF WILLIAM SHAKESPEARE, APRIL 26, 1564

THE Register in the Parish Church of Stratford-upon-Avon begins with the year 1558. All the entries up to September 1600 are in one and the same handwriting; this is evidence that these entries are copies transcribed from earlier entries written in several different hands. The original entries (before September 1600) may have been written on small loose sheets of paper and are, no doubt, irretrievably lost. The record officially is the "Register of the Holy Trinity Church, Stratford-on-Avon." The entries up to 1600 are bound in a volume of considerable thickness; one of tooled leather over boards, with metal corners and clasps. On the outside front cover, in boxed panels, is tooled "Stratford upon Avon 400 Leavs 1600 R Elizabeth 42." The leaves are of fine vellum. The earliest entry is for March 25, 1558, a baptism; the last one, in this volume, is dated September 14, 1600. Each page is signed by Richard Bifield, who was vicar from 1596 to 1600, and by four churchwardens. Richard Savage edited the Register for publication (*The Parish Registers of Stratford-on-Avon*, 3 vols., 1897 to 1905).

Vital statistics, as they are understood

today, in the earliest days were disregarded. Lands, possessions, tenancies, rents, villeins, and slaves were recorded with great concern. William the Conqueror's *Domesday Book* of 1086 was a record of property; it includes very few "vital statistics." It was not until the time of Thomas Cromwell, vice-regent of Henry VIII, that systematic care was given to recording baptisms (not births) and marriages and burials (not deaths). Thomas Cromwell directed every officiating minister to keep such records, his order appearing to have become operative in 1538. Any investigator who has labored in the earlier subsequent period knows that the records were imperfectly entered, or not entered at all, or, if entered, are now irretrievably lost. During the first year of Elizabeth's reign, 1558, instructions were given to enforce the Cromwellian order of 1538; thus it is that the Stratford Registry begins in 1558. Toward the close of her reign, in a provisional constitution of October 25, 1597, orders were given to make complete copies of the earlier records and thus bring them up to date. Doubtless it was some informal Register of the Holy Trinity Church that was copied and duly at-

tested under the authority of Richard Bifield, vicar, and the four wardens. No evidence at present indicates who was the actual copyist.

Since the transcript was officially attested by five men, we may conclude that the copied records are reasonably accurate. Facsimiles (rather well done) of the entries having to do with the Shakespeare family are reproduced on a single page in J. W. Walter's *Shakespeare's True Life* (1890, p. 346). Since the entries in the Register did not begin until March 25, 1558, it may actually not contain the entry for John Shakespeare's first child and Rowe ("Life" in his edition of Shakespeare, 1709-10) may be correct in stating that there were ten children, though there are entries for only nine.

The Rev. Joseph Greene's manuscript transcript of certain entries from the Stratford Parish Register, compiled about 1770 and now in the Folger Shakespeare Library, is not trustworthy in details; it is a statement of content but not a literal transcript—he sets down the name "Samuel" for William Shakespeare's son "Hamnet."

The Parish Register of the Holy Trinity Church, Stratford-upon-Avon, has

girdle, the incumbent from 1560 to 1565. Bretchgirdle was M.A. of Oxford, tutor to Alderman Smith's children, and the first Protestant vicar of Stratford. He was a man of classical tastes: in his will he bequeathed to the Smith children books, including a Sallust, a Justinian, a Horace, and a Virgil, and such volumes as Tye's *Acts of the Apostles in English Metre for the Lute*.

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XIV

THE BAPTISM OF GILBERT SHAKESPEARE, 1566

THE Stratford Parish Register has among the records of "Baptisms" the further entry which is here given as Document 49. This concerns Gilbert Shakespeare, younger brother of William Shakespeare.

but also took delivery of the conveyance. In 1610, on March 5, he wrote "Gilbert Shakespere" as one of the witnesses to a Stratford lease (see Wellstood's *Catalogue of the Books, Manuscripts, . . . Exhibited in Shakespeare's Birthplace*, No. 58, for note and facsimile; the lease

Life of Shakespeare, II, 298) declared that he had discovered, in a 1597 Coram Rege Roll, Gilbert Shakespeare identified as a London haberdasher. Unfortunately he failed to cite his documentary evidence specifically enough, with the result that Mrs. Charlotte C. Stopes, unable to trace the evidence, concluded that Halliwell-Phillipps was in error. She searched the records of the Haberdashers' Company only to find no Gilbert Shakespeare but rather a Gilbert Shephard, which, she opined, had been misread. Halliwell-Phillipps asserted, also, that this Gilbert Shakespeare had once gone bail for a clockmaker of Stratford-upon-Avon. But it remained for John Leslie Hotson in *The Times* (London), November 22, 1930, to bring to light the documentary evidence which Halliwell-Phillipps had obviously encountered. In the Public Record Office (MS K.B. 27/1345, Trinity Term,

[DOCUMENT 49]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM OF GILBERT SHAKESPEARE, 1566]

[1566]

Oct 13 Gilbertus filius Johannis Shakspere.

Gilbert, like his older brother William, grew to manhood. Some trust must have been reposed in him by the family; for in May 1602, when William purchased the 107 acres of land from the Combes, Gilbert was not only a witness

is given in full in Halliwell-Phillipps' *Life of Shakespeare*, p. 29). This is an actual signature and spelling of the name by a member of the Shakespeare family.

Halliwell-Phillipps (*Outlines of the*

at the time of the Northern Rebellion; 1569 to 1584, Henry Heyeroft, M.A. of Cambridge, who baptized Susanna; 1584 to 1589, Richard Barton, a Puritan from Coventry, who baptized Hamnet and Judith; 1589 to 1589, John Rushton, B.A. of Oxford; 1589 to 1596, John Bromhall, M.A. of Oxford; 1596 to 1600, Richard Bifield, "Professor of Sacred Theology," who supervised the copying of the early Parish Church Register entries; 1600 to 1619, John Rogers, M.A. of Oxford, who buried John Shakespeare (1601), Mary Arden-Shakespeare (1608), and William Shakespeare (1616); 1619 to 1638, Thomas Wilson, B.D., friend

of John Hall and the one who buried Anne Hathaway-Shakespeare (1623); 1638 to 1648, Henry Twitchet, M.A.; 1648 to 1662, Alexander Beane, who was a Cromwell party appointee; 1667 to 1681, John Ward, M.A., whose Diary is in the Folger Shakespeare Library; 1681 to 1682, Josiah Simcox, M.A.; 1682 to 1684, John Trapp, M.A.; 1684 to 1701, Richard Croft, M.A.; 1701 to 1701, John Ovington, M.A.; 1701 to 1702, John Jackson, M.A.; 1702 to 1702, Thomas Willes; 1702 to 1705, Nicholas Brody, D.D., who with Nahum Tate, the Poet Laureate, made a metrical version of the Psalms which the King author-

ized to be used in the churches; 1705 to 1709, Richard Synge, M.A.; 1709 to 1729, Walwyn Meese, M.A.; 1729 to 1736, Edward Deane, M.A.; 1736 to 1763, Edward Kenwick, M.A.; 1763 to 1787, Stephen Nason, M.A.; 1787 to 1842, James Davenport, D.D., whose correspondence with Malone about John Shakespeare's (?) "Spiritual Last Will and Testament" is well known; 1842 to 1848, John Clayton; 1848 to 1855, Henry Harding; 1855 to 1867, John Granville; 1867 to 1879, John Day Collis, D.D.; 1879 to 1908, George Arbuthnot. Canon Melville, M.A., is the present incumbent.

39 Elizabeth) is the record of a suit in which two persons were pledges for William Sampson "de Stratford super Avon in Comitatu Warr, Clockmaker." One of the pledges was Richard John-

son "de parochia sancte Brigitte, London, Shoemaker," and the other was Gilbert Shakespere "de parochia sancte Brigitte predicte, haberdasher." Evidently Gilbert Shakespeare was a haber-

dasher in London and had residence in the Parish of St. Brides, just as Halliwell-Phillipps had asserted.

For Gilbert's burial, see Document 216 in chapter lxxxv, Volume II.

XV

BAPTISM OF THE SECOND JOAN SHAKESPEARE, 1569

THE Stratford Parish Register has among the "Baptisms" the further entry given as Document 50. This concerns another "Jone" Shakespeare, evidently the second daughter of John and Mary Shakespeare to be so named in baptism.

This second "Jone," daughter of John Shakespeare and Mary Arden, can be explained on the premise that the first Joan, who was christened on September 15, 1558, died in infancy or in early childhood. It is not uncommon to find in parish registers a second child of the same name when the first had died in infancy. The tendency to keep a family name continuous by naming a son or a daughter for a parent or for a near relative was in keeping with the sixteenth-century sense of family unity and security.

Although the Stratford Register does not contain the pertinent entries, from other records it is determined that Joan grew to womanhood and married William Hart, a hatter of Stratford-on-Avon. Four children were born to the union: (1) "[1600] August 28 Willielmus filius Wilhelmi Hart," for whom the burial entry reads "[1639] March 29 Willielmus Hart"; (2) "[1603] Junij 5 Maria filia Willielmi Hart," for whom the burial entry is "[1607] Dec 17 Mary dawghter to Willyam Hart"; (3) "[1605] Julij 24 Thomas fil Willielmus Hart Hatter"; and (4) "[1608] Sept 23 Mychaell sonne to Willyam Hart," for whom the burial entry is "[1618] Nov 1 Micael filius to Jone Harte widowe." The three Hart sons, nephews of Wil-

liam Shakespeare, are bequeathed, in the poet's will, a legacy of £5 (about \$200) each. Joan, whose husband had been buried just eight days before William Shakespeare was interred, was bequeathed in the same will a life tenancy (for a nominal rent of 12d.) in the Birthplace property in Henley Street,

of Harts and through eight generations of Harts plus three generations of Ashleys, the Shakespeare descendants live today in England (Tewksbury), in Australia, in New Zealand, and in the United States—in Idaho and in Salt Lake City, Utah.

Shakespeare's will identifies "Jone" as

[DOCUMENT 50]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM
OF (THE SECOND) JOAN SHAKESPEARE, 1569]

[1569]

April 15 Jone the daughter of John Shakspere

£20 (about \$800), and all the dramatist's wearing apparel.

William Shakespeare's sister Joan is the one important link from whom the surviving Shakespeare family legal-blood descendants derive today. In the second generation, William Shakespeare's own personal family ceased to exist. The great dramatist ranks with such men as Chaucer, Sidney, Bacon, Milton, Dryden, Pope, and Locke among famous Englishmen whose blood line soon became extinct. His own three brothers, so far as any documentary evidence shows, died without issue; and three of his sisters died young or in infancy. To Joan and William Hart were born three sons and one daughter. It is through their son Thomas (1601-1661) that the Shakespeare family blood obtains to the present. Direct through eleven generations

"my sister Johane Hart." Research has provided little information about William Hart except that he was a hatter and that, like virtually every other craftsman in his day, he had cases in the local Court of Record, where one sued and was sued for debts and unpaid bills. The Register for 1564 records the burials of both a John Hart and a Margaret Hart. He may have been their son, though the Register has no entry for the christening. On the other hand, he may not have come to Stratford before his marriage, which occurred in 1598 or 1599. If he was the son of John and Margaret Hart, he was much older than Joan.

The Parish Register has the following entry among the burials: "[1646] Nov 4 Joan Hart widow." She had been a widow for thirty years; and she had lived to the ripe age of seventy-seven.

XVI

THE BAPTISM OF ANNE SHAKESPEARE, 1571

THE Stratford Parish Register has among the "Baptisms" the further entry given as Document 51. This concerns Anne Shakespeare, younger sister of William Shakespeare.

ford-upon-Avon. After 1569 each of the entries in the Parish Register designates him as "magistri" or as "Mr."

Anne, also, must have died in infancy or in childhood; the Register contains this burial entry: "[1579] Apr 4 Anne

did not remember her with any bequest in his will of March 25, 1616.

Presumably the family of John and Mary Shakespeare, occupying the "Birthplace" on Henley Street, Stratford-upon-Avon, now in late September 1571, consisted of William, aged seven, Gilbert, aged five, Joan, aged two, and the infant Anne. Of these, both William and Gilbert were destined to survive their parents and to witness the realization of their parents' ambition. Joan married William Hart (hatter of Stratford, and lived until 1646. Anne figures only as another of the nine (ten ?) offspring destined to be but a name, for she is recorded as having died in 1579 (see chapter xx, below, p. 148).

[DOCUMENT 51]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM OF ANNE SHAKESPEARE, 1571]

[1571]

Septēb[r] 28 Anna filia magistri Shaksperc

It will be noted that John Shakespeare is now entered as "magister": in 1568-69 he had been High Bailiff of Strat-

daughter to Mr John Shaksperc." That she did not survive her brother William is further indicated by the fact that he

XVII

THE BAPTISM OF RICHARD SHAKESPEARE, 1574

THE Stratford Parish Register has among the "Baptisms" the further entry given as Document 52. It concerns Richard Shakespeare, youngest brother of William Shakespeare.

been High Bailiff in 1568-69 and was now Chief Alderman. Virtually nothing is known of Richard, who perhaps was named for his grandfather Richard, who had died about 1560 or 1561. Of course, Richard Quiney was prominent

honored. The given names of intimate friends, next only to the given names of members of the intimate family of the progenitors, were customarily accorded the newborn in the family.

The family of John and Mary Shakespeare now presumably consisted of three sons, William, Gilbert, and Richard, and Richard's older sisters, Joan and Anne, the latter of whom lived only until 1579. Richard, like William and Gilbert, survived his parents; but, like Gilbert and a younger brother Edmund, he did not survive the oldest brother, William. Joan lived until 1646.

Richard Shakespeare died in 1613 (see chapter lxxvii, Volume II) at the relatively early age of thirty-nine.

[DOCUMENT 52]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM OF RICHARD SHAKESPEARE, 1574]

[1574]

March 11 Richard sonne to Mr John Shakspeer

Again the addition of "Mr" is accorded to John Shakespeare; he had

in Corporation matters along with John Shakespeare; he may have been the one

XVIII

THE LEASE OF A WILMCOTE PROPERTY, 1579

AN IMPORTANT real estate transaction participated in by John and Mary Shakespeare is that involving a property in Wilmcote in 1579.

In the Public Record Office in London is a foot of fine¹ bearing date of Hilary Term,² 1579, in the Court of Westminster, of an action recorded in that Court which had been before that same Court on St. Martin's Day, 1578. The original document or documents having to do with the action of 1578 have never been found. Accordingly the precise nature of that earlier agreement and transaction cannot be set forth. The subsequent Court record of Hilary Term, 1579, relative to the earlier agreement and transaction, appears to be abbreviated or else incomplete. In its present form, this foot of fine seems to be a recording of a lease and an appended sublease to a second party of the Shakespeare estate at Wilmcote. Few documents relating to the Shakespeares have precipitated more varied and uncertain interpretations than this.

Halliwell-Phillipps (*Outlines of the Life of Shakespeare*, II, 202 ff.), without full consideration of the facts, identified the property dealt with in this foot of fine as the Asbies property devised to Mary Arden by her father Robert Arden's will, November 24, 1556. This identification has persisted to the present time and, unfortunately, has caused all sorts of misconceptions and has tended to becloud the difficult matter rather than to clarify it, although he himself declared that "it is unsafe to speak positively in the matter, its terms being peculiar and the indenture leading [*sic*] its uses not having been discovered." Mrs. Charlotte C. Stopes rec-

ognized the uncertainty resulting from what appear to be lost documents in the case and commented in a manner equally confusing and by no means clarifying; she wrote (*Shakespeare's Environment*, 1914, p. 41): "When he had secured the money, John made a very complex arrangement. Asbies had evidently been leased to George Gibbes. He found Thomas Webbe and Humphrey Hooper willing to buy the lease from John and Mary Shakespeare and George Gibbes. There must have been money paid down for that lease, as it was clinched by a fine in Feet of Fines, Hilary Term 1579 (230)." Edgar I. Fripp (*Shakespeare Man and Artist*, I, 158) declares: "The transaction is mysterious." One thing is clear, however: this Hilary Term, 1579, fine having to do with the Shakespeare estate in Wilmcote must not be confused with, nor organically related to, the Easter Term, 1579, foot of fine³ whereby John and Mary Shakespeare conveyed a part of their estate at Wilmcote to Edmund Lambert for a consideration of £40 (\$1,600).

The transcript here given, as Document 53, has been collated with that of Halliwell-Phillipps (*Outlines*, II, 202-3), where, as here, the legal Latin words have been spelled out in full. Both the Latin transcript and the English translation here appended have modern punctuation provided with a view to effecting a degree of clarity.

A topical enumeration of this somewhat uncertain legal document is as follows: (1) This is a final agreement made in the court of Westminster. (2) It records two appearances of the two parties before that Court—one on Saint Martin's Day, 1578 (note "*a con-*

questu," instead of "*a Regine Elizabeth*," which is the correct phrase⁴) and the other, concerning the present fine, on the eighth day of Saint Hilary, 1579. (3) Jacob Dyer, Roger Manwood, Robert Mounson, and Thomas Meade were the justices who sat in each session of the Court. (4) Thomas Webbe and Humphrey Hooper were the complainants. (5) John Shakespeare and Mary his wife and George Gibbs were the defendants. (6) The legal matter was "concerning seventy acres of land, six acres of meadow, ten acres of pasture and common of pasture for all manner of animals, with the appurtenances, in Wilmcote." Note that this is a total of some eighty-six acres in Wilmcote and that there is no mention of "Asbies." (7) The meeting in the Court was arranged for the purpose by the complainants and the defendants. (8) John, and Mary, and George recognized the aforesaid tenements and common of pasture as being the property of Thomas Webbe himself. (Note that Humphrey Hooper's name is not included. Is it a scribal omission?) (9) Thomas Webbe and Humphrey Hooper (note that here Hooper's name is included) held the premises as a gift from John and Mary Shakespeare and George Gibbs. (10) John, and Mary, and Gibbs granted and quitclaimed for themselves and their heirs the premises to Thomas and Humphrey and "the heirs of Thomas himself [note here

⁴ This Latin phrase "*a conquestu* [1066]," "from the Conquest," is one of the conventionally repeated phrases recurring in many an Elizabethan foot of fine long after the Norman Conquest had ceased to be the proper date by which legal indentures were oriented. Here, as in many other documents of the period, it is merely a fossil phrase carelessly repeated. The reference is in reality from 1558, the year in which Elizabeth ascended the English throne. This foot of fine, then, was actually dated twenty-one years after Elizabeth became Queen (1558); that is, it was dated 1579.

¹ See footnote 4, p. 113, in chapter x.

² See footnote 3, pp. 112-13, in chapter x.

³ See chapter xix, p. 134, below, where the indenture is critically discussed.

Humphrey's name not included], in perpetuity," and the defendants, "on behalf of themselves and the heirs of Humphrey granted to George Gibbs

[DOCUMENT 53]

[FOOT OF FINE RECORDING JOHN AND MARY SHAKESPEARE'S
LEASE OF A WILMCOTE PROPERTY, 1579]

HAEC EST finalis concordia facta in curia domine Regine apud Westmonasterium, in crastino sancti Martini, anno regnorum Elizabethæ, Dei gracia Angliæ, Franciæ et Hiberniæ regine, fidei defensoris, etc., a conquestu, vicesimo, coram Jacobo Dyer, Rogero Manwoode, Roberto Mounson et Thoma Meade, justiciariis, et postea in octabis Sancti Hillarii, anno regnorum ejusdem Regine Elizabethæ vicesimo primo, ibidem concessa et recordata coram eisdem justiciariis et aliis domine Regine fidelibus tunc ibi presentibus,—inter Thomam Webbe et Humfridum Hooper, querentes, et Johannem Shakespere et Mariam, uxorem ejus, et Georgium Gybbes, deforciantes, de septuaginta aeris terre, sex aeris prati, decem aeris pasture et communia pasture pro omnimodis averiis, cum pertinenciis, in Wylmcote, unde placitum convencionis summonitum fuit inter eos in eadem curia, scilicet, quod predicti Johannes et Maria et Georgius recognoverunt predicta tenementa et communiam pasture, cum pertinenciis, esse jus ipsius Thome, ut illa que iidem Thomas et Humfridus habent de dono predictorum Johannis et Marie et Georgii, et illa remiserunt et quietumclamaverunt de ipis, Johanne et Maria et Georgio, et heredibus suis, predictis Thome et Humfrido, et heredibus ipsius Thome, imperpetuum; et preterea iidem Johannes et Maria concesserunt, pro se et heredibus ipsius Marie, quod ipsi warantizabunt predictis Thome et Humfrido et heredibus ipsius Thome, predicta tenementa et comuniam pasture, cum pertinenciis, contra omnes homines imperpetuum; et pro hac recognicione, remissione quietumclamancia, warantia, fine et concordia, iidem Thomas et Humfridus concesserunt predicto Georgio predicta tenementa et comuniam pasture, cum pertinenciis, et illa ei reddiderunt in eadem curia, habenda et tenenda eidem Georgio a festo sancti Michaelis Archangeli quod erit in anno Domini millesimo quingentesimo et octogesimo, usque finem termini viginti et unius annorum extunc proximo sequentium et plenarie complendorum, reddendo inde annuatim predictis Thome et Humfrido, et heredibus ipsius Thome, medietatem unius quarterii tritici et medietatem unius quarterii ordeï ad festum Natalis Domini annuatim solvendas; et si contingat predictum redditum medietatis unius quarterii tritici et medietatis unius quarterii

phrey, George Gibbs was to render annually, on the feast day of the Nativity of our Lord, one-half of a quarter (eight bushels was a quarter measure) of wheat and one-half of a quarter of barley. If this was the total rental, it was a very small sum—a "peppercorn," holds Chambers—for a Wilmcote property of some eighty-six acres. (13) If this rental should remain unpaid, "in part or in full, twenty days after the aforesaid feast-day," then it would be lawful for "Thomas and Humphrey, and the heirs of Thomas himself" (note that again Humphrey and his heirs are not included) to enter, to seize, and to drive out the unlawful occupants and retain to themselves the premises until such time as they have secured complete satisfaction. (14) And, finally, Thomas and Humphrey (Humphrey is here included) granted to John and Mary (Gibbs is not here included, indicating that he was not actually a co-partner in legal ownership of the premises; rather he may have been an agent for the property for John and Mary Shakespeare) "a reversion [this would be the legal provision in the instance of a lease or a mortgage] of the above-mentioned tenements and common of pasture, with the appurtenances, and the above-mentioned revenue previously reserved. . . . To have and to hold by the same John and Mary, and the heirs of Mary herself [again this last phrase indicates that the premises were originally Mary's; note that "the heirs" is not here accorded legally to John], from the lords of the fief for services [this phrase indicates the property to be a family inheritance of Mary's] which pertain to the aforesaid tenements and common of pasture in perpetuity."

Some concluding observations may be made: (a) Clearly this indenture is not a quitclaim conveyance of the Wilmcote estate to Thomas Webbe and Humphrey Hooper, for two reasons—that there is no sum of money stated as the conveyance purchase price, and that, at the close of the document, there is "reversion" to Mary Shakespeare, a legal provision that would not appear in a bona fide quitclaim conveyance of a

Mary herself," warrant the premises to the complainants "against all men for-

the right to hold (lease ?) the property from the feast of Saint Michael the Archangel, 1580, to the end of a term twenty-one years next following (to 1601). (12) To Thomas and Hum-

* This last phrase suggests that the premises were originally Mary's and not of John's own personal acquiring.

given property but which would appear if the indenture were either a lease or a mortgage. (b) Moreover, as the document now reads, if there were actual conveyance of the property, then Thomas Webbe and Humphrey Hooper, in recognition of the surrender by John and Mary, paid for the premises by a lease of the estate to George Gibbs during a twenty-one-year period (1580-1601); but this, of course, could not well have been the transaction: one does not pay for a property by the purchaser's leasing it to someone else. (c) It appears that the document records, perhaps a bit imperfectly, two leases: one by John and Mary Shakespeare to Thomas Webbe and Humphrey Hooper, and a second sublease, by Thomas Webbe and Humphrey Hooper, to George Gibbs. (d) That this legal record was of an actual lease of the Wilmcote estate, by John and Mary Shakespeare, is evidenced, in the definite mention of a lease on the property, by John Lambert in his answer to John Shakespeare's 1597 bill of complaint (see p. 149, below) against John Lambert. Speaking of the Wilmcote property, John Lambert in 1597 declared, "the said premisses, or the moste parte thereof, have ever, . . . byne in lease by the demise of the said complainante [John Shakespeare]; and the lease therof beinge nowe [1597] somewhat nere expyred [Gibbs's lease was to obtain from 1580 to 1601]." (e) That this foot of fine was not intended to be a mortgage is suggested by John Shakespeare's 1588 bill of complaint (see p. 136, below) against John Lambert, in which he declared that it was by an indenture of November 14 (the present foot of fine mentions St. Martin's Day), 20 Elizabeth, 1578, that he conveyed this estate to Edmund Lambert (father of John Lambert) with the proviso that "if the said John Shakespeare, his heirs, executors, administrators or assigns either paid or caused to be paid to the aforesaid Edmund forty pounds of legal English money on the day of the feast of Saint Michael the Archangel . . . in the year of our lord one thousand five hundred and eighty, that then the aforesaid inden-

ture . . . would be void." Such a legal proviso for redemption of this property does not appear in the phrasing of this

ters—John and Mary Shakespeare aside—included in this document throws but little light upon it. Of Thomas Webbe

ordei, aut aliquam inde parcellam, aretro fore in parte vel in toto post festum predictum quo ut prefertur solvi debeat non solum per spatium viginti dierum, quod tunc bene licebit predictis Thome et Humfrido, et heredibus ipsius Thome, in predicta tenementa et communiam pasture, cum pertinenciis, intrare et distringere, districcionesque sic ibidem captas et habitas licite abducere, asportare et effugare, ac penes se retinere quousque de predicto redditu medietatis unius quarterii tritici et medietatis unius quarterii ordei, cum arreragiis ejusdem, si que fuerint, plenarie fuerit satisfactum et persolutum; concesserunt etiam predicti Thomas et Humfridus predictis Johanni et Marie revercionem tenementorum et communie pasture predictorum, cum pertinenciis, ac predictum redditum superius reservatum, et illa eis reddiderunt in eadem curia, habenda et tenenda eisdem Johanni et Marie, et heredibus ipsius Marie, de capitalibus dominis feodi illius per servicia que ad predicta tenementa et communiam pasture pertinent imperpetuum.

[The English translation of the legal Latin is as follows]:

THIS is the final agreement made in the Court of Her Majesty the Queen at Westminster, on the morrow of Saint Martin, in the year of the reign of Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c., from the Conquest the twentieth, in the presence of Jacob Dyer, Roger Manwood, Robert Mounson, and Thomas Meade, Justices, and afterwards on the eighth day of Saint Hilary, in the twenty-first year of the reign of the same Queen Elizabeth, likewise submitted and recorded in the presence of the same justices and other men then there present who were faithful to Her Majesty the Queen. Between Thomas Webbe and Humphrey Hooper, the complainants, and John Shakespeare and Mary his wife and George Gibbs, the defendants, concerning seventy acres of land, six acres of meadow, ten acres of pasture and common of pasture for all manner of animals, with the appurtenances, in Wilmcote, whence a plea of meeting was summoned between them in the same Court. That is to say: that the aforesaid John and Mary and George recognized the aforesaid tenements and common of pasture, with the appurtenances, to be the property of Thomas himself, that those which the same Thomas and Humphrey hold as a gift of the aforesaid John and Mary and George, they both granted and quitclaimed for themselves, John and Mary and George, and their heirs, to the above-mentioned Thomas and Humphrey, and to the

Hilary Term, 1579, foot of fine. Obviously, then, this foot of fine is a record of a lease or perhaps of two leases.

Any special knowledge of the charac-

and Humphrey Hooper virtually nothing is known apart from their being named in this indenture. Even the indefatigable antiquarian, Edgar I. Frigg

(*Shakespeare Man and Artist*, I, 157), says, "Webbe and Hooper being men unknown to us." Not much is known occupied previously, by Adam Palmer (trustee and overseer of Robert Arden's will) and George Gibbs. Gibbs's farm,

heirs of Thomas himself, in perpetuity. And moreover, the same John and Mary granted, on behalf of themselves and the heirs of Mary herself, that they themselves will warrant to the aforesaid Thomas and Humphrey and to the heirs of Thomas himself, the aforesaid tenements and common of pasture, with the appurtenances, against all men forever. And for this recognition, remission, quitclaim, warrant, final compact and agreement, the same Thomas and Humphrey granted to the aforesaid George the aforesaid tenements and common of pasture, with the appurtenances, and these they have given up in the same Court, To have and to hold by the same George from the feast of Saint Michael the Archangel which will be in the year of our Lord one thousand five hundred and eighty, even to the end of a term of twenty-one years next following and fully to be completed; he to render therefrom annually to the aforesaid Thomas and Humphrey, and to the heirs of Thomas himself, one-half of a quarter of wheat and one-half of a quarter of barley to be paid annually on the feast-day of the Nativity of our Lord. And if it should happen that the aforesaid revenue of one-half of a quarter of wheat and one-half of a quarter of barley, or some parcel thereof, shall be remaining unpaid, in part or in full, twenty days after the aforesaid feast-day when it was due to be paid, as set forth, that then it shall be fully lawful for the aforesaid Thomas and Humphrey, and the heirs of Thomas himself, to enter into and to seize the above-mentioned tenements and common of pasture, with the appurtenances; and the premises thus seized and lawfully held [it will be lawful] to remove, to carry away, to drive out [the unlawful occupants], and to retain in their possession until such time when complete satisfaction shall have been made and full payment rendered of the above-mentioned revenue of one-half of a quarter of wheat and one-half of a quarter of barley, together with the arrears, if there shall have been any. The above-mentioned Thomas and Humphrey furthermore [had] granted to the above-mentioned John and Mary a reversion of the above-mentioned tenements and common of pasture, with the appurtenances, and the above-mentioned revenue previously reserved, and they [had] restored these to them in the same Court, To have and to hold by the same John and Mary, and the heirs of Mary herself, from the lords of the fief for services which pertain to the aforesaid tenements and common of pasture in perpetuity.

of George Gibbs. Two important properties in Wilmcote comprising the manorial estate were, in 1561, purchased jointly, though seemingly they had been

which had a messuage smaller than that of Palmer, extended to the land of Thomas Edkins "on the east" and to that of John Fulwood on "the other

side." Gibbs's messuage included the outhouses, buildings, orchard, garden, pond, closes, and trees. In 1575 Adam Palmer and George Gibbs divided their jointly purchased estate, each retaining with some changes and new "mere stones" the moieties they had been occupying. When in 1579 Agnes Arden (†1580) made her will, she appointed "Addam Palmer, George Gibbes" her overseers.

Why George Gibbs was included with John and Mary Shakespeare as defendants in this Hilary Term, 1579, foot of fine has never been determined. In this legal instrument he is in the rather anomalous position of being a legal joint owner of the Wilmcote property and also, at the same time, a leaser of it to Thomas Webbe and Humphrey Hooper, who, in turn, lease it back to him as the lessee. It has been suggested that the reason for his inclusion as one of the defendants is that he was the agent for John and Mary Shakespeare of the Wilmcote estate or that he was the Shakespeare steward after the manner of medieval days. In any case, there is no documentary evidence which clarifies his being included as one of the "defendants." His name does not appear in the two bills of complaint (1588, 1597; see pp. 136-41, below) by John Shakespeare against John Lambert to a part of their estate at Wilmcote.

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XIX

THE CONVEYANCE OF AN ASTON CANTLOW PROPERTY, 1579

THERE is in the Public Record Office in London a foot of fine bearing date of Easter Term, 21 Elizabeth, 1579, whereby John and Mary Shakespeare, his wife, conveyed, for the sum of £40 (\$1,600), a part of their estate in the parish of Aston Cantlow to Edmund Lambert, husband to Joan, sister of Mary Arden-Shakespeare. The original parchment manuscript, measuring approximately 7 $\frac{1}{8}$ by 7 $\frac{1}{8}$ inches, written in the conventional abbreviated legal Latin of the day, is, except for a few places where the ink has fallen off or has faded, well preserved and legible and hence readily transcribed. The facsimile of the original indenture reproduced in this work, by special permission of the Public Record Office, is that of the actual "foot" of the fine; that is, this is the end or foot part.¹

It will be noted that this sort of legal document was actually a written record of the legal procedure (a sort of fictitious litigation) in Court by virtue of which one party conveyed ownership of a given property to another party. The transcript here given as Document 54, made directly from the original by a full-sized photograph, has the conven-

tionally abbreviated legal Latin words spelled out in full, with the necessary filled-in letters enclosed in brackets. A

nor the translation is here punctuated, since the content may be determined readily without punctuation. J. O. Hal-

[DOCUMENT 54]

[FOOT OF FINE RECORDING CONVEYANCE OF AN ASTON CANTLOW PROPERTY TO EDMUND LAMBERT, 1579]

HAEC EST finalis concordia f[ac]ta in cur[ia] d[omi]ne Reginae Apud Westm[onasterium] a die Pasche in quindecim dies Anno regnor[um] Elizabeth dei gra[tia] Anglie ffranc[ie] et Hib[er]nie Regine fidei defensoris et a conqu[estu] vicesimo primo coram Jacobo Dyer Rob[er]to Mounson[e] et Thoma Meade Justic[iariis] et alijs d[omi]ne Regine fidelib[us] tunc ibi p[re]sentib[us] Int[er] Edmundum Lambert quer[entem] et Joha[nn]em Shakespere et Mariam ux[or]em eius deforc[iantes] de duob[us] mesuagijs duob[us] gardinis quinquaginta acris t[er]re duab[us] acris prati quatuor acris pasture et co[m]mun[i]a pasture p[ro] om[n]i mod[is] au[er]ijs cum p[er]tin[enciis] in AWston Cauntlett unde pl[a]c[i]tum conuenc[i]o[n]is sum[mon]itum] fuit int[er] eos in eadem cur[ia] Scil[icet] q[uo]d p[re]d[ic]ti Joh[ann]es et Maria recogn[overunt] p[re]d[ic]ta ten[ementa] et co[m]mun[i]am pasture cum p[er]tin[enciis] esse Jus ip[s]ius Edmundi ut illa que idem Edmundus h[ab]et de dono p[re]d[ic]tor[um] Joh[ann]is et Marie et ill[a] remiserunt et quie-

modern English translation has been appended. Neither the transcript (the original manuscript has no punctuation)

liwell-Phillipps' transcript (*Outlines*, II, 11) is incomplete and improperly punctuated.

¹ See chapter x, p. 113, note 4.

विष्णु

Since this foot of fine has been misinterpreted so frequently, and so often, in error, has been organically linked

(2) It was in the Court of Westminster sitting in Warwick. (3) It was dated "from Easter Day in fifteen days" or in

tumclan[averunt] de ip[s]is Joh[ann]e et Maria et hered[ibus] suis p[re]d[ic]to Edmundo et hered[ibus] suis Imp[er]p[etuu]m et p[re]t[er]ea i[dem] Joh[ann]es et Maria concesserunt p[ro] se et hered[ibus] ip[s]ius Marie q[uo]d ip[s]i Warant[izabunt] p[re]d[ic]to Edmundo et hered[ibus] suis p[re]d[ic]ta ten[ementa] et co[m]mun[iam] pasture cum p[re]t[er]ine[n]ciis cont[ra] p[re]d[ic]tos Joh[ann]em et Mariam et hered[es] ip[s]ius Marie Imp[er]p[etuu]m et p[ro] hac recogn[icione] remissione quietclam[ancia] Warant[ia] fine et concordia Idem Edmundus dedit p[re]d[ic]tis Joh[ann]i et Marie quadraginta libras sterlingor[um]

Warr

[The English translation of the legal Latin is as follows]:

THIS is the final agreement made in the court in Westminster of Her Majesty the Queen from Easter Day in fifteen days in the year of the reign of Elizabeth by the grace of God Queen of England France and Ireland defender of the faith and from the conquest the twenty-first in the presence of [Court] Jacob Dyer Robert Mounson and Thomas Meade Justices and others faithful to Her Majesty the Queen then present there. Between Edmund Lambert complainant and John Shakespeare and his wife Mary defendants concerning two messuages two gardens fifty acres of land two acres of pasture four acres of pasture and common of pasture for all sorts of beasts with the appurtenances in Aston Cantlow whence a plea of agreement had been summoned between them in the same Court That is to say that the aforesaid John and Mary recognized the aforesaid tenement and common pasture with the appurtenances to be the right of Edmund himself and that the same Edmund has it as a gift from the aforesaid John and Mary and that they remised and quitclaimed for John and Mary themselves and their heirs to the aforesaid Edmund and his heirs in perpetuity and therefore the same John and Mary conceded for themselves and for the heirs of Mary herself that they themselves warrant to the aforesaid Edmund and his heirs the aforesaid tenement and common pasture with the appurtenances against the aforesaid John and Mary and the heirs of Mary herself in perpetuity and for this recognizance concession quitclaim warrant fine and concord the same Edmund gave the aforesaid John and Mary forty pounds sterling.

Warwick

with the foot of fine (see chapter xviii, p. 130) dated Hilary Term, 1579, a topical summary of it here is justified. (1) It was a final agreement in Court.

the Easter Term of the Court of Westminster and in the twenty-first year [1579] of the reign of Elizabeth. (4) Jacob Dyer, Robert Mounson, and

Thomas Meade were the judges. (5) Edmund Lambert was the complainant in the case. (6) John Shakespeare and Mary, his wife, were the defendants. (7) The matter for consideration was "two messuages two gardens fifty acres of land two acres of pasture four acres of pasture and common of pasture for all sorts of beasts with the appurtenances in Aston Cantlow." (8) The complainant and the defendant had been summoned into Court to agree on the matter. (9) John and Mary recognized that the property was the right of Edmund Lambert. (10) Edmund had the premises as a gift from John and Mary. (11) John and Mary surrendered and quitclaimed the estate for themselves and for their heirs to Edmund Lambert and his heirs in perpetuity. (12) John and Mary warranted for themselves and for "the heirs of Mary herself" (a phraseology which suggests that this property was originally Mary's inheritance and not John's acquisition) to Edmund and his heirs against the said John and Mary in perpetuity. (13) For this "recognizance concession quitclaim," Edmund gave John and Mary £40 (\$1,600).

This is a perfectly normal and legally regular foot of fine of the sort used frequently in Elizabethan conveyance of land. By exactly such a fine William Shakespeare himself purchased, in 1597, his own New Place (see Document 111, chapter xli, below).

This fine was, per se, in no sense a mortgage on the Shakespeare estate at Aston Cantlow, for the reason that there is no legal provision stated in the document for redeeming the property by paying any mortgage consideration, had one in this indenture been legally entered into. If this instrument was a mortgage, as some critics have held, then the 1597 fine by which William Shakespeare purchased New Place was also a mortgage; and no recognized critic has ever held that the 1597 New Place indenture was a mortgage. Nor is this legal document in any wise a lease.

However, there was once a mortgage on this estate, or on part of it, executed by John Shakespeare and Mary Shakespeare to Edmund Lambert. The 1588

John Shakespeare bill of complaint (see p. 138, below) against Edmund Lambert definitely says that John and Mary Shakespeare did mortgage for the sum of £40 this estate in Aston Cantlow to Edmund Lambert. That mortgage, which has never come to light, was dated November 14, 20 Elizabeth, 1578, says the 1588 bill of complaint; and it carried a mortgage redemption proviso: "if the said John Shakespeare, his heirs, executors, administrators or assigns either paid or caused to be paid to the aforesaid Edmund forty pounds of legal English money on the day of the feast of Saint Michael the Archangel . . . then the aforesaid indenture and all things contained therein would be void."

Some scholars hold that this present Easter Term, 21 Elizabeth, 1579, foot of fine was but a confirmation by John and Mary to Edmund Lambert of the existing mortgage on the estate in the hamlet of Wilmcote in the parish of Aston Cantlow. Edmund K. Chambers, for instance (*William Shakespeare*, II, 37), has asserted: "On 14 Nov. 1578, the Shakespeares mortgaged a house and land, the inheritance of Mary, at Wilmcote in Aston Cantlow, to Edmund Lambert of Barton, a brother-in-law of Mary, as security for a loan of £40 to be repaid by Michaelmas in 1580. The mortgage was confirmed by a fine in the Easter Term of 1579." Yet whatever may have been the occasion that provoked the present fine, 21 Elizabeth, 1579, it is clear that John and Mary Shakespeare definitely conveyed legal title of a part of their estate at Aston Cantlow to Edmund Lambert.

John Shakespeare's mortgage of November 14, 20 Elizabeth, 1578, via an indenture, of "one messuage or tenement, one virgate of land, and four acres of arable land with the appurtenances in Wilmcote" to Edmund Lambert for £40 was not conducive to pleasurable relations between the two families. That this missing document was actually a mortgage is clear for the reason that the sale of the property carried with it the redemption clause quoted above. The evidence of actual unpleasant relations resulting, and the evidence of the

[DOCUMENT 55]

[BILL OF COMPLAINT CONCERNING "TRESPASS" OF
EDMUND LAMBERT, 1588]

WARR:—Memorandum quod alias, scilicet, termino Sancti Michaelis ultimo preterito, coram domina regina apud Westmonasterium venit Johannes Shackspere, per Johannem Harborne, attornatum suum, et protulit hic in curiam dicte domine regine tunc ibidem quandam billam suam versus Johannem Lambert, filium et heredem Edmundi Lamberte nuper de Barton Henmershe in comitatu predicto yoman, in custodia marescalli &c., de placito transgressionis super casum; et sunt plegii de proseguendo, scilicet, Johannes Doo et Ricardus Roo, que quidem billa sequitur in hec verba,—WARR.; Johannes Shackspere queritur de Johanne Lamberte, filio et herede Edmundi Lamberte nuper de Barton Henmershe in comitatu predicto yoman, in custodia marescalli Marescallie domine regine, coram ipsa regina existente, pro eo, videlicet, quod cum idem Edmundus in vita sua, scilicet, decimo quarto die Novembris anno regni domine Elizabethe nunc regine Anglie vicesimo, per quandam indenturam gerentem datam die et anno predictis, emisset sibi et heredibus suis de prefata Johanne Shackspere et Maria uxore ejus unum mesuagium sive tenementum, unam virgatam terre et quatuor acras terre arrabilis cum pertinentiis in Wilmcote in dicto comitatu Warwici, habendum et tenendum mesuagium sive tenementum predictum, et alia premissa cum pertinentiis, prefato Edmundo, heredibus et assignatis suis, imperpetuum; proviso semper quod si dictus Johannes Shackspere, heredes, executores, administratores vel assignati sui, solverent seu solvi causarent prefato Edmundo quadraginta libras legalis monete Anglie in die festi sancti Michaelis Archangeli, quod tunc esset in anno Domini millesimo quingentesimo et octogesimo, quod tunc deinceps indentura predicta, et omnia in eadem contenta, vacua forent; virtute cujus idem Edmundus in tenementa predicta, cum pertinentiis, intravit, et fuit inde seisitus in dominico suo ut de feodo, et, sic inde seisitus existens, postea, scilicet, primo die Marcii anno regni dicte domine regine nunc vicesimo nono, apud Barton Henmershe predictam obiit, post cujus mortem mesuagium predictum et cetera premissa, cum pertinentiis, discendebant prefato Johanni Lamberte, ut filio et heredi dicti Edmundi; dictusque Johannes Lamberte, dubitans statum et interesse sua de et in tenementis predictis, cum pertinentiis, esse vacua, et noticiam habens quod predictus Johannes Shackspere eum implacitare vellet et entendisset pro premissis, in consideratione quod predictus Johannes Shackspere adtunc imposterum non implacitaret dictum Johannem Lamberte pro mesuagio predicto et ceteris premissis, cum pertinentiis; et quod dictus Johannes Shackspere et Maria uxor ejus, simulcum Willielmo Shackspere filio suo, cum inde requisiti essent, assurarent mesuagium predictum et cetera premissa, cum pertinentiis, prefato Johanni Lamberte, et deliberarent

omnia scripta et evidencias premissa predicta concernentia; predictus Johannes Lamberte, vicesimo sexto die Septembris anno regni dicte domine regine vicesimo nono, apud Stratforde-super-Avon in comitatu predicto, in consideratione inde super se assumpsit et prefato Johanni Shackespere, adtunc et ibidem fideliter promisit, quod ipse, idem Johannes Lambert, viginti libras legalis monete Anglie prefato Johanni Shackespere modo et forma sequentibus, videlicet, in et super decimum-octavum diem Novembris tunc proximo sequentem viginti solidos, et in et super vicesimum tertium diem ejusdem mensis tres libras, et in et super quartum diem Decembris tunc proximo sequentem sexdecim libras, predictarum viginti librarum residuum, apud domum mancionalem cujusdam Anthonii Ingram generosi, scituatam et existentem in Walford Parva in comitatu predicto, bene et fideliter solvere et contentare vellet; et predictus Johannes Shackespere in facto dicit quod ipse hucusque non implacitavit dictum Johannem Lambert pro premissis, nec aliqua inde parcella, et insuper quod ipse, idem Johannes Shackespere et Maria uxor ejus, simulcum Willielmo Shackespere filio suo, semper hactenus parati fuerunt tam ad assurandum premissa predicta quam ad deliberandum eidem Johanni Lamberte omnia scripta et evidencias eadem premissa concernentia; predictus tamen Johannes Lamberte, promissionem et assumptionem suas predictas minime curans, set machinans et fraudulenter intendens ipsum Johannem Shackspere de predictis viginti libris callide et subdole decipere et defraudare, eadem viginti libras prefato Johanni Shackespere, juxta promissionem et assumptionem, suas hucusque non solvit, nec aliquammodo pro eisdem contentavit licet ad hoc per eundem Johannem Shackespere postea, scilicet, primo die Septembris anno regni dicte domine regine nunc tricesimo, apud Barton Henmershe predictam in comitatu predicto, sepius requisitus fuit, per quod idem Johannes Shackspere totum lucrum, commodum et proficuum, que ipse, cum predictis viginti libris emendo et bargainizando, habere et lucrari potuisset totaliter perdidit et amisit, ad dampnum ipsius Johannis Shackspere triginta librarum, ac inde producit sectam. Et modo ad hunc diem, scilicet, diem Jovis proximum post octabas sancti Michaelis isto eodem termino, usque quem diem predictus Johannes Lamberte habuit licenciam ad billam interloquendam et tunc ad respondendam, etc., coram domina regina apud Westmonasterium, veniunt tam predictus Johannes Shackspere, per attornatum suum predictum, quam predictus Johannes Lamberte, per Johannem Boldero, attornatum suum, et idem Johannes Lamberte defendit vim et injuriam quando, etc., et dicit quod ipse non assumpsit super se modo et forma prout predictus Johannes Shackespere superius versus eum narravit, et de hoc ponit se super patriam; et predictus Johannes Shackespere similiter, etc. Ideo veniat inde jurata coram domina regina apud Westmonasterium die Veneris proximo post octabas Sancti Hillarii, et qui etc., ad recognoscendum etc., quia tam etc. Idem dies datus est partibus predictis ibidem etc.

[Continued on p. 138]

existence itself of such a mortgage, is in two legal actions, two bills of complaint, brought by John Shakespeare against John Lambert "son and heir of Edmund Lambert"—one filed in the Court of the Queen's Bench, Michaelmas Term, 1588; and the other in the Court of Chancery, Michaelmas Term, November 24, 39 Elizabeth, 1597. Their obviously direct connection with the Wilmcote-Aston Cantlow property warrants their critical consideration here rather than their discussion at what would be their chronological position later in this work. It should be noted that this 1588 bill of complaint was filed ten years after the 1578 mortgage on the Wilmcote estate.

In the Public Record Office in London is a bill of complaint, dated Michaelmas Term, 1588, and set for hearing in the Court of the Queen's Bench for Michaelmas Term, 31 Elizabeth, 1589, by John Shakespeare, his wife Mary, and their son William (he was now legally of age—in his twenty-fifth year—and was the oldest son who would succeed to the family estate) against John Lambert, "son and heir" to Edmund Lambert, for "trespass" and for consequent £30 (\$1,200) "damages." This bill of complaint is identified as Coram Rege Roll 1311, folio 516. The answer of John Lambert and the replication (if any) by John Shakespeare are not, at present, attached to the bill. Perhaps they have been irretrievably lost. Halliwell-Phillipps (*Outlines*, II, 11-13) printed the bill complete, and Edmund K. Chambers (*William Shakespeare*, II, 35-37) reprinted the bill proper. Here the bill, in legal Latin, is given in *extenso* and an English translation has been appended, as Document 55. Both the Latin form and the English translation have been punctuated to effect a degree of clarity.

A topical enumeration of the essential details of this Court action will depict more definitely John Shakespeare's complaint. (1) The Court of the Queen's Bench sat at Warwick. (2) The bill was filed "at the end of the day of Saint Michael last past," that is, Michaelmas Term, 1588. (3) John Shakespeare was the complainant and John Harborne

was his attorney. (4) John Lambert, "son and heir" of Edmund Lambert of Barton-on-the-Heath, was the defendant. (5) John Lambert was in the custody (technically) of the marshal. (6) The plea was for trespass. (7) There were pledges. (8) John Shakespeare alleged that on November 14, 1578, Edmund Lambert, via an indenture, "bought" from John and Mary his wife "one messuage or tenement, one virgate of land, and four acres of arable land with the appurtenances in Wilmcote To have and to hold," by the said Edmund Lambert. (9) ". . . . provided always that if the said John Shakespeare, his heirs, . . . either paid or caused to be paid to the aforesaid Edmund forty pounds of legal English money on the day of the feast of Saint Michael the Archangel . . . that then the aforesaid indenture and all things contained therein would be void" (obviously this redemption proviso makes this indenture a mortgage). (10) Edmund entered into possession of the property "as master as from a fief, and thus remaining in possession." (11) On March 1, 1587 (the Barton-on-the-Heath Register, however, accords him burial on April 23, 1587), Edmund died. (12) The Lambert estate consequently descended upon John Lambert the "son and heir." (13) John doubted that the indenture (mortgage of November 14, 1578) was "void" and had knowledge that John Shakespeare desired settlement of the matter. (14) "John Shakespeare and his wife Mary together with William Shakespeare their son" delivered all writings and proofs concerning the aforesaid premises to John Lambert on September 26, 1587. (15) John Lambert "faithfully promised" that he "would fully and faithfully pay and make satisfaction [to the amount of] twenty legal pounds of English money to the aforesaid John Shakespeare," thus: November 18, 1587, twenty shillings; November 23, 1587, three pounds; December 4, 1587, sixteen pounds, each payment to be made "at the manor house of a certain Anthony Ingram of noble birth" in Little Walford in Warwickshire. (16) John and Mary and

[The English translation of these legal Latin items is as follows]:

WARWICK. Memorandum that otherwise, to wit, at the end of the day of Saint Michael last past, in the presence of Her Majesty the Queen at Westminster, there came John Shakespeare, through John Harborne his attorney, and produced here in the Court of the said Majesty the Queen in the same place a certain Bill his own against John Lambert son and heir of Edmund Lambert yeoman late of Barton-on-the-Heath in the county aforesaid, in custody of the marshal, &c., concerning a plea of trespass in the case. And there are pledges of prosecution, to wit, John Doe and Richard Roe, which Bill indeed follows in these words:

WARWICK. John Shakespeare complains against John Lambert, the son and heir of Edmund Lambert recently of Barton-on-the-Heath in the county aforementioned yeoman, in custody of the marshal of Her Majesty the Queen, in the presence of the living Queen herself, in such a manner; namely, that when that same Edmund during his lifetime, to wit, on the fourteenth day of November in the twentieth year [1578] of the reign of Lady Elizabeth, now Queen of England, through a certain indenture bearing the date and year aforesaid, had bought for himself and his heirs from the aforementioned John Shakespeare and Mary his wife one messuage or tenement, one virgate of land, and four acres of arable land with the appurtenances in Wilmcote in the said county of Warwick, To have and to hold the messuage or aforementioned tenement and other premises with the appurtenances on the part of the aforementioned Edmund, his heirs and assigns forever; provided always that if the said John Shakespeare, his heirs, executors, administrators or assigns either paid or caused to be paid to the aforesaid Edmund forty pounds of legal English money on the day of the feast of Saint Michael the Archangel, which would then be in the year of our lord one thousand five hundred and eighty, that then the aforesaid indenture and all things contained therein would be void; by virtue of which the same Edmund entered the aforementioned tenement with its appurtenances, and from that time had possession of it as master as from a fief, and thus remaining in possession from that time on, afterwards, to wit, on the first day of March in the now twenty-ninth year [1587] of the reign of the said Queen, he died at the aforementioned Barton-on-the-Heath, after whose death the aforesaid messuage and other premises with the appurtenances descended to the aforesaid John Lambert, as son and heir of the said Edmund; and the said John Lambert, doubting his estate and interest of and in the aforesaid tenements with appurtenances to be void, and having knowledge that it was the purpose and intent of the said John Shakespeare to summon him to justice on account of the property, in consideration that the aforesaid John Shakespeare did not at once summon to court the said John Lambert on account of the aforesaid tenement and the rest of the premises with appurtenances,

and [in consideration] that the said John Shakespeare and his wife Mary together with William Shakespeare their son, when claim had been made upon them, covenanted the said tenements and the other premises with appurtenances to said John Lambert and delivered all writings and proofs concerning the aforesaid premises, the aforesaid John Lambert, on the twenty-sixth day of September in the twenty-ninth year of the reign of the said Her Majesty the Queen, at Stratford-upon-Avon in the aforesaid county, in consideration thereof took obligation upon himself and then and there faithfully promised that he, the same John Lambert, would fully and faithfully pay and make satisfaction [to the amount of] twenty legal pounds in English money to the aforesaid John Shakespeare in manner and form following; viz., on and upon the eighteenth day of November next following, twenty shillings; on and upon the twenty-third day of same month, three pounds; and on and upon the fourth day of December next, sixteen pounds, at the manor house of a certain Anthony Ingram of noble birth, located and situated in Little Walford in the aforesaid county; and the aforesaid John Shakspeare says in the document that hitherto he has not summoned to justice the said John Lambert for the property, nor some part thereof, and besides that he, the same John Shakespeare, and Mary his wife, at the same time with William Shakespeare their son, have always been ready hitherto not only for covenanting the aforesaid premises but also for delivering to the same John Lambert all writings and proofs concerning the same; the aforesaid John Lambert, however, caring but the least for his aforesaid promise and undertaking, but with scheming and fraudulent intent craftily and cunningly to deceive and defraud this John Shakespeare of the aforesaid twenty pounds, has not up to this time paid the same twenty pounds to the aforesaid John Shakespeare according to his promise and undertaking, nor has he made satisfaction in part for same, although for this he was often enjoined by the same John Shakespeare afterwards, namely, on the first day of September in the now thirtieth year of the reign of the said Her Majesty the Queen, at the aforesaid Barton-on-the-Heath in the aforesaid county; on account of which, the same John Shakespeare totally lost and failed to acquire the whole gain, advantage, and profit which he by buying and bargaining with the aforesaid twenty pounds could have had and acquired, to the loss of thirty pounds to John Shakespeare. And thereafter he brings a suit at law.

And now on this day, to wit, the Thursday next after the eighth of the day of Saint Michael that same end, even on the day on which the aforesaid John Lambert had liberty to make objection to and then to reply to, &c. in the presence of Her Majesty the Queen at Westminster, there came the aforesaid through his aforesaid attorney as well as the aforesaid John Lambert through John Boldero, his attorney, and the same John Lambert defends the force and injury since, &c., and says that he did not assume for himself in the way and form

William had always been willing to covenant further, etc. (17) John Lambert, however, caring not for his promise and "with scheming and fraudulent intent craftily and cunningly to deceive and defraud this John Shakespeare of the aforesaid twenty pounds"—tantamount to purchase by Lambert of the John Shakespeare equity in mortgaged property—had not made any satisfaction, though "he was often enjoined by the same John Shakespeare afterwards"—namely on September 1, 1588, at Barton-on-the-Heath. (18) John, then, had lost "the whole gain, advantage, and profit" of the £20. Hence he brought suit for £30 (\$1,200) damages. (19) Date was set for Thursday next after the 8th of Saint Michael (1589) when John Lambert could make answer. (20) John Boldero was attorney for John Lambert, who denied the charges. (21) Therefore the case was to come again before the court for review "on the Friday next after the eighth of Saint Hilary [1590]."

From this bill of complaint it is declared that John Shakespeare had mortgaged a property in Wilmcote for £40, to Edmund Lambert on November 14, 1578, which mortgage was to obtain until St. Michael's Day, 1580. The mortgage was obviously not paid: either by September 29, 1580, or by March 1 (April ?), 1587, when Edmund Lambert died. John Lambert, the "son and heir," agreed to pay £20 additional beyond the original mortgage of £40 to John Shakespeare for the property, which promise, it was held, was never fulfilled by the said John. Clearly, from the allegation, the additional £20 was, as it were, tantamount to a purchase of John Shakespeare's equity in this mortgaged Wilmcote property. Since the answer by John Lambert to this bill of complaint and the replication (if any) by John Shakespeare are not, at present, extant, and since no further Court procedure is available, it is not clear what followed this legal action immediately; it appears that the action was not, at the time, prosecuted any further (see the 1597 answer, p. 142, below). However, a second (partly amended) bill of complaint of similar content and purpose

was recorded, some nine years later, in the Court of Chancery, November 24, Michaelmas Term, 39 Elizabeth, 1597.

Obviously John Shakespeare was attempting to retrieve his estate, or part of his estate, in Aston Cantlow. A mortgage of £40 on so extensive a property as that at Aston Cantlow was a relatively small one. If John Shakespeare had failed to pay this sum to Edmund Lambert on the date (Michaelmas Day, 1580) the mortgage fell due—however small the sum and whatever the private agreement between the two—that mortgage was legally forfeit and there was no purely legal recourse for retrieving that estate by John Shakespeare. The Elizabethan law applicable to the legal lapse of a mortgage was as arbitrary and as unyielding as the proverbial law of the Medes and Persians—any consideration agreed upon between the two parties to the contrary notwithstanding. The Court, in the matter of a mortgage or in a bill of complaint, was concerned with the legal status—not with any private understandings between the litigants. Equity, moreover, in the matter of mortgages had not as yet become an active principle in English judicial-political activities.

In the Public Record Office in London is a bill of complaint filed, November 24, 1597, by John Shakespeare and Mary his wife (the son William is not included) against John Lambert which reiterates, with explanations and additions, the allegations of a similar bill of complaint (on the same matter of John Shakespeare's property at Aston Cantlow) filed some nine years before in 1588. The hearing took place in Michaelmas Term, 1598. The legal action was filed in the Court of Chancery with Sir Thomas Egerton, Lord Keeper of the Great Seal of England, presiding. Three items were entered in the procedure: (1) the bill of complaint; (2) the answer of John Lambert; and (3) the replication (or reply) by John Shakespeare. There follow, then, five subsequent short Latin entries relative to the case—dated from July 5, 1598, to October 23, 1599, all of which suggest that John Shakespeare showed persistence in attempting to re-

in which the aforesaid John Shakespeare related above against him and regarding this places himself upon the country. And the aforesaid John Shakespeare likewise, &c. And therefore let the thing sworn to come before Her Majesty the Queen at Westminster on the Friday next after the eighth of Saint Hilary, and who, &c. for review &c., because so, &c. Likewise a day has been assigned the aforesaid parties in the same place, &c.

[DOCUMENT 56]

[BILL OF COMPLAINT OF JOHN AND MARY SHAKESPEARE
AGAINST JOHN LAMBERT, 1597]

To the righte honorable Sir Thomas Egerton, knighte, lorde keeper of the greates seale of Englande.—In most humble wise complayninge, sheweth unto your good lordshippe your dailye oratours, John Shakespeare of Stratford-upon-Avon, in the county of Warwicke, and Mary his wief, that, whereas your saide oratours were lawfully seised in their demesne as of fee, as in the righte of the saide Mary, of and in one mesuage and one yarde lande with thappurtenaunces, lyinge and beinge in Wylnecote, in the saide county; and they beinge thereof so seised, for and in consideracion of the somme of fowerty poundes to them by one Edmounde Lamberte of Barton-on-the-Heath in the saide countie paide, your sayde oratours were contente that he, the saide Edmounde Lamberte, shoulde have and enjoye the same premisses untill suche tyme as your sayde oratours did repaie unto him the saide somme of fowertie poundes; by reasone whereof the said Edmounde did enter into the premisses and did occupie the same for the space of three or fower yeares, and thissues and profyttes thereof did receyve and take; after which your saide oratours did tender unto the saide Edmounde the sayde somme of fowerty poundes, and desired that they mighte have agayne the sayde premisses accordinge to their agreement; which money he the saide Edmounde then refused to receyve, sayinge that he woulde not receyve the same, nor suffer your sayde oratours to have the saide premisses agayne, unless they woulde paye unto him certayne other money which they did owe unto him for other matters; all which notwithstandinge, nowe so yt ys; and yt maye please your good lordshippe that, shortelie after the tendringe of the sayde fowertie poundes to the saide Edmounde, and the desyre of your sayde oratours to have their lande agayne from him, he the saide Edmounde att Barton aforesayde dyed, after whose deathe one John Lamberte, as sonne and heire of the saide Edmounde, entred into the saide premisses and occupied the same; after which entrie of the sayde John your said oratours came to him and tendred the saide money unto him, and likewise requested him that he woulde suffer them to have and enjoye the sayde premisses accordinge to their righte and tittle therein and ^{the} promise of his saide father to your saide oratours made, which he, the saide John, denied in

cover his Wilmcote property. Halliwell-Phillipps (*Outlines*, II, 14-17) printed the bill, answer, and replication, and (*ibid.*, pp. 204-5) printed the subsequent

The abbreviated words are here spelled out, and modern punctuation supplied.

The bill and the answer were both dated the same day, November 24, 39

all thinges, and did withstande them for entringe into the premisses, and as yet doeth so contynewe still; and by reasone that certaine deedes and other evydences concerninge the premisses, and that of righte belonge to your saide oratours, are coumme to the handes and possession of the sayde John, he wrongfullie still keepeth and detayneth the possession of the saide premisses from your saide oratours, and will in noe wise permytt and suffer them to have and enjoye the sayde premisses accordinge to their righte in and to the same; and he, the saide John Lamberte, hath of late made sondrie secreate estates of the premisses to dyvers persones to your said oratours unknowen, whereby your saide oratours cannot tell againste whome to bringe their accions att the comen lawe for the recovery of the premisses; in tender consideracion whereof, and for so muche as your saide oratours knowe not the certaine dates nor contentes of the saide wrytinges, nor whether the same be containyd in bagge, boxe or cheste, sealed, locked or noe, and therefore have no remeadie to recover the same evydences and wrytinges by the due course of the comen lawes of this realme; and for that also, by reasone of the saide secreate estates so made by the saide John Lamberte as aforesaide, and want of your saide oratours havinge of the evidences and wrytinges as aforesaide, your sayde oratours cannot tell what accions or against whome, or in what manner, to bringe their accion for the recoverie of the premisses att the comen lawe; and for that also the sayde John Lamberte ys of greate wealthe and abilitie, and well frended and alied amongst gentlemen and freeholders of the countrey in the saide countie of Warwicke, where he dwelleth, and your said oratours are of small wealthe and verie fewe frendes and alyance in the saide countie, maye yt therefore please your good lordshippe to graunt unto your saide oratours the Queenes Majesties moste gracyous writte of subpena, to be directed to the saide John Lamberte, comandinge him thereby att a certaine daie, and under a certaine payne therein to be lymyted, personally to appeare before your good lordshippe in Her Majesties highnes courte of Chauncerie, then and there to answer the premisses; and further to stande to and abyde suche order and direction therein as to your good lordshippe shall seeme best to stande with righte, equitye and good consyence, and your sayde oratours shall daylie praye to God for the prosperous healthe of your good lordshippe with increase of honour longe to contynewe.

five Court entries. Malone (*Variorum*, II, 531-38) printed the three main documents. Here the documents are all given *in extenso*, as Documents 56, 57, and 58.

Elizabeth, 1597; John Shakespeare's replication was not itself dated but it was endorsed "Ter. Michael. annis 40 et 41 [1598-99]."

A topical tabulation of this bill of complaint is in point: (1) The complaint is addressed to Sir Thomas Egerton, the Lord Keeper of the Great Seal of England. (2) John Shakespeare and Mary his wife (William the oldest son not included) are the plaintiffs. (3) John and Mary, "as in the righte of the saide Mary"² were lawfully seized "of and in one mesuage and one yarde lande with thappurtenaunces, lyinge and beinge in Wylncote" in Warwickshire. (4) It was mortgaged (no date is here given; the 1588 bill of complaint, see p. 136, above, says November 14, 1578) to Edmund Lambert for £40, and "your sayde oratours were contente that he . . . shoulde have and enjoye the same premisses untill suche tyme as your sayde oratours did repaie unto him the saide somme of fowertie poundes." (5) Edmund Lambert entered and occupied the property during "three or fower years" and took the issues and profits therefrom. (6) "After which" John and Mary tendered to Edmund the said £40 and desired to have again the premises according to their agreement. (7) Edmund refused to receive the £40, "sayinge that he woulde not receyve the same, . . . unless they woulde paye unto him certayne other money which they did owe unto him for other matters." (8) Shortly after this proffering by John and Mary of the £40 to Edmund, the "saide Edmounde att Barton aforesayde dyed"—the Barton Register says he was buried on April 23, 1587; but the 1588 bill of complaint says Edmund died on March 1, 1587. (9) Edmund's "sonne and heire," John Lambert, entered and occupied the premises. (10) John and Mary tendered John Lambert the money and requested him to "suffer them to have and enjoye the sayde premisses accordinge to their righte and tytle therein and the promise of his saide father to your saide oratours made." (11) John denied all things and declined to permit them to enter the premises—and he continues wrongfully to do so still "by reasone that certaine deedes and

² This phrase, which is not applied to John, suggests that the property in question was Mary's inheritance and not an acquisition by John himself.

other evidences concerninge the premisses, and that of righte belonge to your saide oratours, are coumme to the handes and possession of the sayde John [Lambert]." (12) John asserted that John Lambert "hathe of late made sondrie secrete estates of the premisses to dyvers persones to your said oratours unknowen, whereby your saide oratours cannot tell againste whome to bringe theire accions att the comen lawe for the recovery of the premisses." (13) John and Mary "knowe not the certaine dates nor contentes of the saide wrytinges, nor whether the same be containyd in bagge, boxe or cheste, sealed, locked or noe," and hence have "no remeadie to recover the same evidences and wrytinges by the due course of the comen lawes of this realme" and do not know how or against whom to bring legal action for "recoverie of the premisses att the comen lawe." (14) John Lambert is of "greate wealthe and abilitie, and well frended and alied amongst gentlemen and freholders." (15) John and Mary are of "small wealthe and verey fewe frendes and alyance" (16) John and Mary beseech the Court to execute a "writte of subpena" commanding John Lambert personally, at a certain day, to appear before the Court of Chancery to answer to this complaint and to abide by "suche order and direction therein as to your good lordshippe shall seeme best to stande with righte, equytie and good conscyence."

The accusation was thus definitely made by John Shakespeare that John Lambert was attempting to defraud him of his Wilmcote property.

The answer of John Lambert to John Shakespeare's and Mary his wife's allegations in the Court of Chancery was made the same day (November 24, 1597) the bill of complaint was given hearing. This answer, as was the custom, was sworn to—"Juratus coram me, Thomas Legge, 24 Novembris, 1597." It is here given complete (Document 57) with modern punctuation.

The conventional denial of much of the allegation in the John Shakespeare 1597 bill of complaint aside, this answer by John Lambert throws addi-

[DOCUMENT 57]

[JOHN LAMBERT'S ANSWER TO THE BILL OF COMPLAINT, 1597]

The answeare of John Lamberte, defendante, to the byll of complainte of John Shakspeare and Mary his wief, complainantes.—The said defendante, savinge to himselfe both nowe, and att all tymes hereafter, all advantage of excepcion to the uncertentie and insufficiencie of the said complainantes byll, and also savinge to this defendante such advantage as by the order of this honorable courte he shal be adjudged to have, for that the like byll, in effecte conteyninge the selfe-same matter, hath byne heretofore exhibited into this honorable courte againste this defendante, whereunto this defendante hath made a full and directe answeare, wherein the said complainante hath not proceeded to hearinge; for a seconde full and directe answeare unto the said complainantes byll sayeth that true yt is, as this defendante verylie thinkethe, that the said complainantes were, or one of them was, lawfully seized in their or one of their demesne, as of fee, of and in one messuage and one yearde and fower acres of lande with thappurtenaunces, lyeinge and beinge in Wilmecott, in the parishe of Aston Cawntloe, in the countie of Warwicke, and that they or one of them soe beinge thereof seized, the said complainante, John Shakspeare, by indenture beringe date uppon or about the fowertenth daye of November, in the twentieth yeare of the raigne of our Sovereigne Lady the Queenes Majestie that now ys, for and in consideracion of the summe of fortie powndes of lawfull Englishe monney unto the said complainante paide by Edmunde Lamberte, this defendantes father in the said byll named, did geve, graunte, bargain and sell the said messuage, and one yearde and fower acres of lande with thappurtenaunces, unto the said Edmunde Lamberte, and his heires and assignes, to have and to holde the said messuage, one yearde and fower acres of lande, with thappurtenaunces, unto the saide Edmunde Lamberte, his heires and assignes, for ever; in which indenture there is a condicionall provisoe conteyned that, if the said complainante did paye unto the saide Edmunde Lamberte the summe of fortie powndes uppon the feast daie of St. Michell tharchangell which shoulde be in the yeare of our Lorde God one thousande fyve hundred and eightie, att the dwellinge howse of the said Edmund Lamberte in Barton-on-the-Heath in the said countie of Warwicke, that then the said graunte, bargain, and sale, and all the covenantes, grauntes and agreementes therin conteyned, shulde cease and be voyde, as by the said indenture, wherunto this defendante for his better certentie doth referre himselfe, maye appeare; and afterwarde, the saide complainante John Shakspeare, by his Deede Pole and Liverie theruppon made, did infeoffe the said Edmunde Lamberte of the saide premisses, to have and to holde unto him the said Edmunde Lamberte and his heires for ever; after all which, in the terme of Ester, in the one and twentieth yeare of the Queenes Majesties raigne that nowe ys, the said complain-

antes in due forme of lawe did levye a fyne of the said messuage and yearde lande, and other the premisses, before the Queenes Majesties justices of the comon plees att Westminster, unto the saide Edmund Lamberte, and his heires, sur conuzance de droyt, as that which the said Edmund had of the gifte of the said John Shakspeare, as by the said pole deede, and the chirographie of the said fine, wherunto this defendante for his better certentie referreth himselfe, yt doth and maye appeare; and this defendante further sayeth that the said complainante did not tender or paye the said summe of fortie powndes unto the said Edmund Lamberte, this defendantes father, uppon the saide feaste daye, which was in the yeare of our Lorde God one thowsande fyve hundred and eightie, accordinge to the said provisoe in the said indenture expressed. By reason whereof this defendantes said father was lawfully and absolutly seized of the said premisses in his demcasne as of fee, and, aboute eleven yeares laste paste thereof, dyed seized; by and after whose decease the said messuage and premisses with thappurtenaunces descended and came, as of righte the same oughte to descende and come, unto this defendante, as sonne and nexte heire of the said Edmund; by vertue whereof this defendante was and yet is of the said messuage, yearde lande and premisses, lawfully seized in his demcasne as of fee, which this defendante hopeth he oughte both by lawe and equitie to enjoye, accordinge to his lawfull righte and tytle therin; and this defendante further sayeth that the said messuage, yearde lande and other the said premisses, or the moste parte thereof, have ever, sythence the purches therof by this defendantes father, byne in lease by the demise of the said complainante; and the lease therof beinge nowe somewhat nere expyred, wherby a greater value is to be yearly raised therby, they, the said complainantes, doe now trowble and moleste this defendante by unjuste sutes in lawe, thinkinge therby, as yt shoulde seme, to wringe from him this defendante some further recompence for the said premisses then they have alreddy received; without that, that yt was agreed that the said Edmund Lamberte shoulde have and enjoye the said premisses in anie other manner and forme, to the knowledge of this defendante, then this defendante hath in his said answere heretofore expressed; and without that, that anie deedes or evidences concernynge the premisses that of righte belonge to the said complainantes are come to the handes and possession of this defendante, as in the said byll is untruly supposed; and without that, that anie other matter, cause or thinge, in the said complainantes byll contained, materiall or effectuell in the lawe, to be answered unto, towchinge or concernynge him, this defendante, and hereinbefore not answered unto, confessed and avoyded, traversed or denied, is true, to this defendantes knowledge or remembrance, in *suche manner and forme as* in the said byll the same is sett downe and declared. All which matters this defendante is reddey to averre and prove, as this honorable courte shall awarde, and prayethe to be dismissed therhence with his reasonable costes and charges in this wrongfull sute by him unjustly susteyned.

tional light on the entire dispute between the complainant and the defendant. Obviously the case had another side to the question—the Lambert side.

A topical summary will epitomize the whole: (1) John Lambert legally replied to the complainants John Shakespeare and Mary his wife. (2) John Lambert retained to himself the conventionally legal "all advantage of exception to the uncertentive and insufficiency of the said complainantes byll." (3) Lambert declared a similar bill had been before the Court on an earlier date (1589) and he had once before made full answer (which answer has not come to light) "wherin the said complainante hath not proceeded to hearinge." (This is evidence that John Shakespeare did not continue his Court action of 1589.) This answer was, then, a second answer to John and Mary's allegations. (5) The complainants, it is recognized, were lawfully seized, "as of fee, of and in one messuage and one yearde and fower acres of land with thappurtenaunces, lyeinge and beinge in Wilmecott, in the parische of Aston Cawntloe, in the countie of Warwicke." (6) John and Mary, on November 14, 1578, for the sum of £40 paid by Edmund Lambert, this defendant's father, "did geve, graunte, bargain and sell the said messuage, and one yearde and fower acres of lande with thappurtenaunces, unto the said Edmund Lamberte." (7) "... a condicionall provisoe conteyned that, if the said complainante did paye unto the saide Edmund Lamberte the summe of fortie powndes uppon the feast daie of St. Michell tharchangell" 1580, "att the dwellinge howse of the said Edmund Lamberte in Barton-on-the-Heath," "all the covenantes, grauntes, and agreeementes therein conteyned, shulde cease and be voyde"—in confirmation of which proviso John Lambert consulted the indenture. (8) "John Shakspeare, by his Deede Pole and Liverie^{*} theruppon made, did infeoffe the said Edmund Lamberte of the saide premisses." (9) In Easter Term, 1579, John Shake-

^{*}A Deed Poll was a deed signed by one party only as opposed to an Indenture signed by two or more parties; and "liverie" means "delivery."

spere "in due forme of lawe did levye a fyne [see Document 54, above] of the said messuage and yearde lande, and other the premisses, before the Queenes Majesties justices of the comon plees att Westminster, unto the saide Edmunde Lamberte, and his heires, sur conuzance de droyt [by recognition of law or of right], as that which the said Edmunde had of the gifte of the said John Shakespeare"—as "the chirographe [the irregular cross lines cut by the penknife in separating the three parts of the document] of the said fine" shows, if it be referred to. (10) John Shakespeare "did not tender or paye the said summe of fortie powndes unto the said Edmunde Lamberte, this defendantes father" on the day it was due. (11) Thus Edmund Lambert was "lawfully and absolutly seized of the said premisses." (12) "Aboute eleven yeares laste paste thereof [1587]," Edmund Lambert died. (13) John Lambert, "as sonne and nexte heire of the said Edmunde," inherited the estate and was then in lawful possession of it "accordinge to his lawfull righte and tytyle therein." (14) The defendant said that "the said messuage, yearde lande and other the said premisses, or the moste parte thereof, have ever, sythence the purches therof by this defendantes father, byne in lease [see chapter xviii, above] by the demise of the said complainante." (15) This lease was "nowe somewhat nere expyred" (to expire in 1601). (16) John and Mary Shakespeare, "wherby a greater value is to be yearly raised therby," now "trowble and moleste" John Lambert by "unjuste sutes in lawe," thinking, thereby, "to wringe" from John Lambert "some further recompence for the said premisses then they have alreddy received." (17) John Lambert declared that in his other answer (1589) he had replied to John Shakespeare's complaint "that yt was agreed that the said Edmunde Lamberte shoulde have and enjoye the said premisses in anie other manner and forme, to the knowledge of this defendante." (18) John Lambert denied "anie deedes or evidences concernynge the premisses that of righte belonge to" John Shakespeare have

come into his possession. (19) Other statements in the bill not denied by John Lambert were true. (20) John Lambert asked the Court to dismiss the

Lambert some further recompence for the premises—and, to that end, was annoying him with an unjust suit at law. From these declarations of John Lam-

[DOCUMENT 58]

[THE REPLICATION OF JOHN AND MARY SHAKESPEARE TO
JOHN LAMBERT'S ANSWER, 1598]

The said complaynantes, for replicacion to the answere of the said defendant, saie that their bill of complaynt ys certayne and sufficient in the lawe to be answered; which said bill, and matters therein containyd, these complainants will avowe, verefie, and justifie to be true and sufficient in the lawe to be answered unto, in such sorte, manner and forme as the same be sett forth and declared in the said bill: and further they saie that thanswere of the saide defendndant is untrue and insufficient in lawe to be replied unto, for many apparent causes in the same appearinge, thadvantage whereof these complainantes praie may be to theym nowe and at all tymes saved, then and not ells; for further replicacion to the said answere they saie that, accordinge to the condicion or proviso mencioned in the said indenture of bargain and sale of the premisses mencioned in the said bill of complaynt, he this complaynant, John Shakspeare, did come to the dwellinge-house of the said Edmunde Lambert, in Barton-uppon-the-Heathe, uppon the feaste daie of St. Michael tharcheangell, which was in the yeare of our Lorde God one thousand fyve hundred and eightie, and then and there tendered to paie unto him the said Edmunde Lambert the said fortie poundes, which he was to paie for the redempcion of the said premisses; which somme the said Edmunde did refuse to receyve, sayinge that he owed him other money, and unles that he, the said John, would paie him altogether, as well the said fortie poundes as the other money, which he owed him over and above, he would not receive the said fortie poundes, and imediatlie after he, the said Edmunde, dyed, and by reason thereof, he, the said defendant, entered into the saide premisses, and wrongfullie kepeth and detayneth the said premisses from him the said complaynant; without that, any other matter or thinge, materiall or effectuall, for these complaynantes to replie unto, and not herein sufficientlie confessed and avoyded, denyed and traversed, ys true; all which matters and thinges thes complaynantes are redie to averr and prove, as this honourable court will awarde, and pray as before in their said bill they have praied.

case, "with his reasonable costes and charges."

Thus John Lambert declared that John Shakespeare, because the lease on the property was near expiration, was but attempting to wring from John

bert, it would appear that John Shakespeare had little cause to institute any bill of complaint against the defendant.

Ordinarily, in a suit in the Court of Chancery, in which a bill of complaint had been answered by the defendant,

the complainant replied to the answer; that is, he presented for Court record a replication. John Shakespeare did this. His replication is not dated; however, it is endorsed: "Ter. Michael. annis 40 et 41 [1598-99]." It is here given *in extenso* as Document 58.

for the redempcion of the said premisses." He declared that this Edmund "did refuse to receyve, saying that he owed him other money, and unles that he, the said John, would paie him altogether, as well the said fortie poundes as the other money, which he owed him

[DOCUMENT 59]

[A COMMISSION TO INVESTIGATE THE SHAKESPEARE-LAMBERT CASE, JULY 5, 1598]

[July 5, 1598.] Quinto die Julij. John Shackspere and Mary, his wief, plaintiffs, John Lamberte, defendant. A commission ys awarded to examyne witnesses on bothe partes, directed to Richard Lane, John Combes, Thomas Underhill and Fraunces Woodward, gentlemen, iij. or ij. of them, returnable octavis Michaelis, by assente of the attorneyes, Powle and Hubard, and the plaintieffes to geve xiiij. daies warninge.

The conventional legal reiterative verbiage aside, John Shakespeare, in this replication, very definitely obviated the essential points made by John Lambert but focused the legal dispute upon one point: did John, or did he not, proffer £40 to Edmund Lambert in payment of a mortgage on the premises made

over and above, he would not receive the said fortie poundes." He declared that the son and heir, John Lambert, on the death of his father Edmund, entered the premises and now "wrongfullie kepeth and detayneth the said premisses from him the said complaynant." John Shakespeare made no mention of a deed poll

[DOCUMENT 60]

[A SECOND COMMISSION TO INVESTIGATE THE SHAKESPEARE-LAMBERT CASE, JULY 10, 1598]

[July 10, 1598.] Lunc, decimo die Julii. John Shackspere and Marye his wief, plaintiffs; John Lambert, defendant.—A commission ys awarded to examyne witnesses on both partes, directed to Richard Lanne, John Combes, Thomas Underhill and Frances Woodward, gentlemen, or two of them, returnable octavis Michaelis, by the assent of the attorneyes, Powle and Hubard, and the plaintieffes to give xiiij. dayes warninge.

[November 14, 1578] in favor of the said Edmund? John Shakespeare acknowledged the mortgage and declared that, "accordinge to the condicion or proviso mencioned in the said indenture of bargaine and sale of the premisses mencioned," he, on St. Michael's Day, 1580, did tender to pay to Edmund Lambert of Barton-on-the-Heath, in his dwelling-house, the £40 "which he was to paie

on the estate by him to Edmund Lambert; and he made no mention of a bona fide conveyance, for £40, of an estate at Aston Cantlow to Edmund Lambert via a fine dated Easter Term, 1579. The legal facts thus seem to be somewhat against John Shakespeare rather than in favor of him.

The subsequent legal history of this suit in the Court of Chancery may be

gleaned from the Chancery Proceedings given in the Estate Records No. 4 and from the Orders and Decrees of the Court. From B Book, 133, in the Public Record Office, it is clear that the contending parties took some further legal action. A commission was appointed to hear the testimony. It appears that John Lambert changed his commissioners, in the doing of which he was fully within his legal rights, perhaps on the ground that he felt that the previously appointed men were too friendly to the plaintiff's side of the case. The Court entries, which are in English, bearing dates from July 5, 1598, to October 23, 1599, are here given as Documents 59-63.

Five days later, for some reason, a second and similar commission was awarded. The customary "xiiij. dayes warninge" was allowed the defendant. The same men were appointed to the commission, "gentlemen" all.

It seems, however, that no testimony was taken and that the suit did not progress; for the next entry is nearly a year later—May 18, 1599—and in it John Shakespeare is charged by the defendant with having exhibited one bill in his own and his wife's name and afterwards another bill in which John only was the complainant. The two bills did not cover quite the same material. Here, too, it is very clear that a "mortgage" was involved. The substance of the two bills was to be reduced to one matter and John Shakespeare was to be dismissed of one of the bills. The entry is given as Document 61.

A few weeks later, on June 27, 1599, another commission was appointed to hear the case for both parties. The personnel was changed: Richard Lane and John Combes were retained, but Thomas Underhill and Francis Underwood were discontinued and William Berry and John Warne, gentlemen all, were substituted. Note that here John Shakespeare's wife was not Mary but—in error, of course—Margaret. Obviously the amended bill was exhibited in the name of John and Mary. The Court entry for Trinity Term, 41 Elizabeth, is here given as Document 62.

The last record in the Court entries

was for the following October 23, 1599. From its conventional phrasing—"Yf the defendant shewe no cawse for stay of publication by this day sevenight, then publicacion ys graunted"—it is clear that the case was definitely to be heard. If John Lambert would not appear to answer and defend his case, then the Court would render decision in favor of John Shakespeare. In this instance he would retrieve the estate at Wilmcote. However, there are no further entries extant. John Shakespeare died two years later, in 1601. His oldest son, William, then automatically became the head of the family estate. Mary Arden-Shakespeare died in 1608. In his own will of 1616, William Shakespeare made no specific devise of any estate at Wilmcote or at Aston Cantlow. In the absence of any further documents in this case in the Court of Chancery, one is virtually obliged to say that John Shakespeare did not recover the property at Wilmcote. If other documents come to light or if any private understanding between John Shakespeare and Edmund Lambert is retrieved, perhaps the justification of John Shakespeare's suit and bills of complaint (1589, 1597) will be obvious. From a critical study of such materials in the case as are available, it appears that the legal facts were more against John Shakespeare than in support of his legal action. He appears to have lost the estate, or part of it, at Wilmcote because of his failure to pay a mortgage loan of £40 by or on the appointed time. The final Court entry available is here given as Document 63.

The question whether or not the property or estate under litigation in these several legal documents was identical with the "Asbyes" premises devised to Mary Arden by her father Robert Arden's will of November 24, 1556, warrants a final word of consideration. That document (reprinted as Document 32, p. 89, in this work) identified the property thus: "all my lande in Willmecote, cawlide Asbyes and the crop apone the ground sowne and tyllide as hitt is." In it the number of virgates (averaging some 44 acres), of yard lands (averaging some 40 acres), of acres of arable land, of

[DOCUMENT 61]

[COURT ORDER DIRECTING CANCELING OF ONE OF TWO
BILLS OF COMPLAINT, MAY 18, 1599]

[May 18, 1599.] xviii^o die Maij. John Shakespeare, plaintiff; John Lambard, defendant.—Forasmuch as this Cowrt was this presente day ynformed by Mr. Overbury, beinge of the defendantes counsell, that the plaintiff did fyrst exhibyte a bill unto this Cowrt against the defendant, as well by his owne name as in the name of his wyef, to be relyved towching a mortgage of certene landes lyinge in the county of Warr. made to the defendantes father, whose heyre the defendant is, and afterwards exhibyted a bill in his owne name only concerninge such matter in substaunce as the former bill doth; and althoughe the plaintiff hath taken owt two severall commisyones upon the later bill, yet he hath not examyned any wytnesses thereupon. It is therefore ordered that, yf Mr. D. Hunt, one of the Masters of this Cowrt, shall, upon consideracion of the said bills, fynde and report that bothe the said billes doe in substaunce conteyne one matter, then the defendant ys to be dismissed from one of the said billes, with such costes as the said Mr. D. Hunt shall tax and ascesse; and the plaintiff ys to proceede to the hearinge thereof withe effect, and the defendant shal be at lyberty to chaunge his commissyones, yf he will, and the plaintiffes attorney is to be warned hereof.

[DOCUMENT 62]

[A THIRD COMMISSION TO INVESTIGATE THE SHAKESPEARE-
LAMBERT CASE, JUNE 27, 1599]

[June 27, 1599.] xxvii^o die Junij. John Shackspeere and Margaret, his wief, plaintiffes; John Lamberte, defendant.—A commission ys awarded to examine witnesses on bothe partes, directed to Richard Lane, John Combes, William Berry and John Warne, gentlemen, iij. or ij. of them, returnable octavis Michaelis, by assente of the attorneyes, Powle and Hubard, and the plaintiffes to geve xiiij. daies warninge.

[DOCUMENT 63]

[RECORD OF THE SHAKESPEARE-LAMBERT CASE BEING
ADJUDGED, OCTOBER 23, 1599]

[October 23, 1599.] Martis, xxiiij^o die Octobris. John Shakespere and Mary, his wief, plaintiffes; John Lamberte, defendant.—Yf the defendant shewe no cawse for stay of publicacion by this day sevenight, then publicacion ys graunted.

acres of pasture, of acres of common of pasture is not indicated. Nor is any mesuage (a house with the appurtenances of other buildings or of land thereto) nor any garden listed. The word "As-

byes," as a location of a premise, appears in no other known document either before or after its use in Robert Arden's will. It is not mentioned in any single one of the documents (1579, 1579, 1588,

1597) having to do with the Shakespeare property under litigation. Wilmcote, of course was a small hamlet. Aston Cantlow was its parish, and Warwick its county; and "Asbyes" must have been only a wholly local name of temporary and hence somewhat inconsequential

Term, 21 Elizabeth, 1579, appears to have included the entire Shakespeare holding at Wilmcote; it was eighty-six acres with no messuage, nor with anything else designated. (2) The Easter Term, 21 Elizabeth, 1579, foot of fine, by which John and Mary Shakespeare

Edmund Lambert; their total acreage was given severally as 48, 40, 44, 44, 40 (?) acres according to the several identifications, and each of these identifications mentions one messuage, and three of them mention four acres or else four acres of arable land. Obviously these

THE SEVERAL IDENTIFICATIONS OF JOHN SHAKESPEARE'S PROPERTY AT WILMCOTE

| Legal Document | Messuage (Dwelling with Appurte- nances) | Garden | Virgate (44 acres) | Yard Land (40 acres) | Acres | Arable Land | Acres of Pasture | Common of Pasture | Total Acres | Location | Price |
|---|---|--------|-----------------------|----------------------------|----------------------------|----------------|---|-------------------------|----------------|---------------------------|-------|
| Will of Robert Arden, November 24, 1556 | "all my lande in Willmecote cawlide <i>Asbyes</i> and the crop apone the grounde, etc." | | | | | | | | | | |
| [Mortgage, November 14, 20 Elizabeth 1578, on a property in Wilmcote. Mentioned in the 1588 Bill of Complaint] | 1 | 0 | 1 | 0 | 0 | 4 | 0 | 0 | 48 | Wilmcote | £40 |
| Lease, 8th day of Hilary Term, 21 Elizabeth, 1579, of an estate at Wilmcote | 0 | 0 | 0 | 0 | 70 and 6 "acres of meadow" | 0 | 10 "acres of pasture and common of pasture" | 0 | 86 | Wilmcote | |
| Foot of Fine, Easter Term, 21 Elizabeth 1579, Conveyance of a property at Aston Cantlow | 2 | 2 | 0 | 0 | 50 | 0 | 2 | 4 | 56 | Aston Cantlow | £40 |
| Bill of Complaint, 1588; mentions a Mortgage (see above) of November 14, 20 Elizabeth, 1578, to September 29, 1580, on a property in Wilmcote | 1 | 0 | 1 | 0 | 0 | 4 | 0 | 0 | 48 | Wilmcote | £40 |
| Bill of Complaint, November 24, 39 Elizabeth 1597; says a property in Wilmcote was mortgaged | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 40 | Wilmcote | £40 |
| Answer of same date to the 1597 Bill of Complaint | 1 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 44 | | £40 |
| | 1 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 44 | | |
| | 1 | 0 | 0 | 1 | 0 (?) | 0 | 0 | 0 | 40 (?) | Wilmcote in Aston Cantlow | |

use. Halliwell-Phillipps (*Outlines*, II, 201) asserts, "The exact site of the real Asbies is unknown." Always, in these documents, the descriptive designation of the estate is as "Wilmcote," "Aston Cantlow," or "Wilmeccott in . . . Aston Cawntloe," and never "Asbies."

An analysis of the content of each property or estate, as described in each of the documents and as given in the accompanying tabulation, throws a degree of light on the matter.

In conclusion one may note that: (1) The lease of the 8th day of Hilary

quitclaimed and conveyed a property at Aston Cantlow to Edmund Lambert for the sum of £40, appears to have been but a part of the entire Shakespeare holding in that parish; it was fifty-six acres (inclusive of two acres of pasture and four acres of common of pasture) with two messuages and two gardens. (3) It is especially noteworthy that the bills of complaint (1588, 1597), along with John Lambert's answer to the bill of 1597, are rather uniform in their description of the premises mortgaged (November 14, 1578) for £40 to

(48, 40, 44, 44, 40) are identifications of one and the same property. This analysis suggests that, if the lease of Hilary Term, 1579, included all the Shakespeare property at Aston Cantlow as totaling eighty-six acres, then (a) the missing mortgage of November 14, 1578, which is the main crux in the bills of complaint of 1588 and 1597, was on approximately forty-four acres of the Wilmcote estate, and (b) the Easter Term, 21 Elizabeth, 1579, foot of fine recorded bona fide and quitclaim conveyance of fifty-six acres of that entire

estate from John and Mary Shakespeare to Edmund Lambert.

Much confusion has resulted from the attempt of scholars to decide the relation between these documents discussed in chapters xviii and xix and from the attempt to identify one property involved as Asbies, Mary's inheritance from her father. The more simplified statement of the case appears to be that in Hilary Term, 1579, John and Mary Shakespeare held some eighty-six acres in the hamlet of Wilmcote, that the previous November 14, 1578, John and Mary had mortgaged forty-eight acres (with a messuage) of it to Edmund Lambert; that in Easter Term, 21 Elizabeth, 1579, John and Mary, by a fine, conveyed fifty-six acres (with two messuages and two gardens) to Edmund Lambert. None of these mortgaged, leased, or conveyed properties, individually or collectively can be definitely identified with "Asbies." No doubt "Asbies" was included in the total of eighty-six acres at Wilmcote; but its special individual identity was lost in the estate as a whole. Romantic sentimentality, not documentary evidence, has accorded the word "Asbies" its prominence.

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XX

THE BURIAL OF ANNE SHAKESPEARE, 1579

AMONG "Burials" the Stratford Parish Register has the entry here given as Document 64. It records the early death of Anna (Anne) Shakespeare, while still a child.

"Mr" is the title accorded John Shakespeare as former High Bailiff (1568-1569) and subsequently Chief Alderman. Anne's baptismal record is given in chapter xvi, p. 129. At her death, she was a child seven years old.

The death of Anne Shakespeare leaves

virtually complete, except for Edmund, born the next year, the picture of William Shakespeare's home circle in his boyhood. There remained the three

brothers, in 1579 aged, respectively, fifteen, thirteen, and five and a sister Joan,

[DOCUMENT 64]

[STRATFORD PARISH REGISTER ENTRY FOR THE BURIAL OF ANNE SHAKESPEARE, 1579]

[1579]

Apr. 4 Anne daughter to Mr John Shakspere

aged ten. Along with Edmund, each was destined to grow to maturity.

Fairly numerous details concerning the achievements of John Shakespeare, as his children were in turn born and as in turn three of his daughters died, are on record. See especially chapter vi,

above. As is quite natural with regard to that period—and indeed to most periods of history—the record of family activities is a blank. We can infer only vaguely from the references in various

documents to subsequent achievements of the Shakespeare sons and from a few passages in William Shakespeare's plays in what their family life in Stratford-upon-Avon consisted.

XXI

THE CONVEYANCE OF A SNITTERFIELD PROPERTY, 1579

THIS deed of sale, dated October 15, 21 Elizabeth, 1579, conveyed to Robert Webbe of Snitterfield John Shakespeare's "moitye" in a Snitterfield property. The extent of the "moitye" is not

indicated in the document itself, and the location of the property has never been determined. It cannot have been very large, for the financial consideration was but £4 (about \$160). When or how this interest was acquired by

John Shakespeare is unknown. The legal phrasing shows, however, that this "moitye" was of John's own holding and not one acquired by virtue of his marriage to Mary Arden. (In this connection, see chapter xxii, p. 152, below.)

In this deed of sale Mary Shakespeare's name was introduced so that her dower right therein would be legally barred in favor of the purchaser, Robert Webbe. The legal warranty in this deed of sale was that of a wife's merely joining her husband in the conveyance of his property. Moreover, the warranty proposed in this conveyance was inconsistent with the supposition that Mary was joining John in a transfer, by sale, of her own property. If this last had been the case, the legal phrasing would have been something like "from the said John and Mary and from the heirs of Mary herself"; if the document had been a conventional Latin fine, instead of a deed of sale in the English vernacular, the legal phrase would have read from "Johannes et Maria, et heredes ipsius Marie." The warranty in this indenture reads: "of the said John Shacksperre and Marye his wyeffe and their heires, and the heires of eyther of them," a phrase which was consistently six times repeated in the warranty of the deed of sale here reproduced as Document 65.

The deed of sale is a document approximately 28 by 12 inches in size. It is in the Birthplace Museum in Stratford-upon-Avon. Since the indenture had to do with the conveyance of an interest or of a "moitye" rather than the absolute ownership of a full and com-

[DOCUMENT 65]

[DEED OF SALE OF A SNITTERFIELD PROPERTY TO
ROBERT WEBBE, 1579]

THIS INDENTURE made the fyfteenth daye of Octobar, in the yeare of the raigne of our soveraigne ladye Elyzabethe, bye the grace of God, of England, Fraunce and Ireland Quene, defendor of the faith, &c., the twentythe and one, betwene John Shacksperre of Stratford-uppon-Avon, in the countye of Warwicke, yoman, and Marye his wyeffe, on the one partye, and Robert Webbe of Snytterfylde, in the same countye, yoman, on the other partye; wittnessthe that the said John Shacksperre and Marye his wiewfe, for and in consideration of the somme of foure poundes of goode and lawfull Englishe money by the aforesaid Roberte Webbe unto the said John Shacksperre, and Marye his wyeffe, before the delyverie of these presentes well and trulye contented and paied, of the which said somme the said John Shacksperre, and Marye his wyeffe, doe acknowledge themselves fully satisfyed, contented and paied, and therof and of everye parte thereof the said Robert Webbe, his heires, executors, administrators and assignes doe fullye freely and cleerelye acquyte, exonerate and dyscharge for ever, by these presentes have gyven, graunted, bargayned and solde, and by these presentes doe gyve, graunte, bargayne and sell, unto the said Robart Webbe, his heires and assignes, for ever, all that their moitye, parte and partes, be yt more or lesse, of and in twoo messuages or tenementes, with thappurtenaunces, sett, lyenge and beyng in Snitterfield aforesaid, in the said county of Warwicke, and of all and singular houses, edifices, barnes, stables, gardens, orchardes, medowes, lesues, pastures, feedinges, commons, furzes, brushewoodes, underwoodes,

waters, landes, tenementes, hereditamentes, profyttes, commodityes, whatsoever or wheresoever in any wise to the said twoo messuages or tenementes, or any of them, belonginge or apperteyninge, or occupied with the same, in whose tenure or occupacion soever they or any of them, or any parte or parcell of them, now be; and furthermore, the reversion and revertsions, remaynder and remaynders of the same, and the rentes, duties, profyttes and commodityes whatsoever to the said reversion or revertsions, remaynder or remaynders, in any wyse belonginge, incident or apperteyninge, or excepted or reserved uppon any manner of graunte or demyse thereof heretofore had or made, or of any of the graunted premisses, together with all and singular deedes, charters, evidences, wrytynges and mynimentes whatsoever towching and concerninge onely the foresaid twoo messuages or tenementes, or all or any of thaforsaid premisses which theye the foresaid John Shackspeare, or Marye his wyeffe, or eyther of them, or anye other person or persons, eyther by theyre or any of theyre delyverie, or by their or eyther of their knowledge, nowe have or ought to have; To have and to holde their said moitye, parte and partes, of the said twoo messuages or tenementes, and of all and singular the graunted premisses, with their and everye of their appurtenaunces, unto thaforsaide Roberte Webbe, his heires and assignes, for ever, to his and their onelye proper use and behoofe; all which their said moitye, parte and partes, of the said twoo messuages or tenementes, with thap-purtenaunces, and of all and singular the graunted premisses, with their and everye of their appurtenaunces, thafforesayd John Shackspeare and Marye his wyeffe, for them and their heires, and the heires of eyther of them, by these presentes to thafforesaid Robert Webbe his heires and assignes doe warrante and promysse to defende against the said John and Marye his wyeffe, and their heires and the heires of eyther of them, for ever by these presentes. And the said John Shackspeare and Marye his wyeffe, for the consideration aforesaid, for them, their heires and the heires of eyther of them, their executors, administrators and assignes, and everye of them, doe covenante, promysse and graunte to and with the said Roberte Webbe, his heires, executors, administrators and assignes, and everye of them, by these presentes, that their said moitye, parte and partes, of

thafforesaide twoo messuages or tenementes, and of all and singular the graunted premisses with their appurtenaunces, att all tyme and tymes henceforth, after the delyverie of these presentes, maye and shall lawfully and rightfully come be and remayne unto thaforsaid Robert Webbe, his heires and assignes, accordinge to the true tenour and effecte of the graunte thereof before made in these presentes, free cleere and voyde, or otherwise well and sufficientlie saved harmelesse, by the foresaid John Shackspeare and Marye his wyeffe, their heires and the heires of eyther of them, and their assignes, of and from all and singular bargaines, sales, feoffmentes, grauntes, intayles, joyntures, dowars, leases, willes, uses, rent-charge, rent-sectes, arrereges of rentes, recognizaunce, statute marchant and of the staple, obligacions, judgementes, executions, condempnacions, yssues, fines, amercementes, intrusions, forfaitures, alienacions without lycens, and of and from all other charges, troubles and incumbrances whatsoever heretofore had made or done by the foresaid John Shackspeare and Marye his wyeffe, or eyther of them, or of their heires or the heires of eyther of them, or by any other person or persons by, thorough or under their or any of their right, tytle or interest, acte, consent or procurement,—the rentes, customes and services due to the chieffe lord or lordes of the fee or fees onely excepted and foreprised; and that theye, the foresaid John Shackspeare and Marye his wyeffe, and all and everye other person and persons, except before excepted, nowe havinge, claiminge or pretendinge to have, or that hereafter shall have, claime or pretend to have, any manner of lawfull and just right, tytle and interesie, of, in, to or out of their said moitye, parte and partes, of the foresaid twoo messuages or tenementes, and of all or any of the graunted premisses with their appurtenaunces, in, by or thorough, the right, tytle or interesse of the said John Shackspeare and Marye his wyeffe and their heires, and the heires of eyther of them, at all tyme and tymes hereafter, from and after the delyverie of these presentes, from tyme to tyme, uppon lawfull warninge and request made by the said Robert Webbe, his heires and assignes, unto thaforsaid John Shackspeare and Marye his wyeffe, and their heires and the heires of eyther of them, at the proper costes and charges in the lawe of the said Robert Webbe, his heires or assignes, shall

and wylł doe, cause and suffer to be done, all and everye reasonable and lawfull acte and actes, thinge and thinges, devyse and devyses, for the more better and perfect assurance and sure makeinge in the lawe of thiaforesaid moetye, parte and partes, of the said twoo messuages or tenementes, and of all and singular the graunted premises and their appurtenances, to the said Robert Webbe, his heires and assignes, to his and their only use and behoofe, be yt by fyne, feoffment, recovery with single or double voucher, deedes enrolled, intollement of these presentes, or by any or by all of them, or by any other wayes or meaner whatsoever, with warranty against them, the said John Shackspere and Marye his wyeffe, and their heires, and the heires of eyther of them, as shal be advised or devised by the said Robert Webbe, his heires and assignes, or by his or their counsell learned in the lawe. And furthermore that the said John Shackspere and Marye his wyeffe, and their heires, and the heires of eyther of them and their assignes, shall and wylł delyver, uncanceled and undefaced, unto the said Roberte Webbe, his heires or assignes, before the feast of Easter next ensuenge the date of these presentes, all and singular the charters, deedes, evidences, wrytinges and myni-

mentes, before in these presentes bargained and sold, which theye may come by without suite in the lawe, and that of all other cherters, evydences, wrytinges and mynimentes which theye, the said John Shackspere and Marye his wyeffe, hath, or that theye, their heires, executors or assignes, at any tyme hereafter maye lawfully come by, without suite in the law, towching and concerninge thiaforesaid twoo messuages or tenementes, or the before bargained premisses or any of them, they the said John Shackspere and Marye his wyeffe, or one of them, uppon lawfull request of the said Roberte Webbe his heires and assignes, at his and their proper costes and charges, unto them the said John and Marye, theyre heires and assignes, had and made, shall deliver or cause to be delyvered to the said Robert Webbe, his heires and assignes, the true and perfect coppie and coppies at all tyme and tymes hereafter. In witnesse whereof the parties abovesaid to these present indentures interchangeblie have putte their handes and scales the daye and yere fyrst above wrytten *The marke + of John Shackspere.* *The marke + of Marye Shacksper.* Sealed and delivered in the presens of Nycholas Knooles, vicar of Auston, of Wylliam Maydes and Anthony Osbaston, with other moe.

[DOCUMENT 61]

[BOND ACCOMPANYING SNITTERFIELD DEED OF SALE, 1579]

NOVENIET universi per presentes nos, Johannem Shackspere de Stratford-uppon-Avon in comitatu Warwici, yoman, et Mariam, uxorem ejus, teneri et firmiter obligari Roberto Webbe de Snitterfelde in comitatu predicto, yoman, in viginti marcis bone et legalis monete Anglie, solvendis eidem Roberto aut suo certo attornato, executoribus, administratoribus, vel assignatis suis; ad quam quidem solucionem bene et fideliter faciendam obligamus nos heredes, executores, et administratores nostros firmiter per presentes sigillo nostro sigillatas. Datam decimo-quinto die mensis Octobris, anno regni domine Elizabethæ, Dei gracia Anglie, Francie et Hibernie regine, fidei defensoris, etc., vicesimo-primo.

THE CONDITION of this obligacion is such that, if thabove bounden John Shackspere and Marye his wyeffe, their heires and the heires of eyther of them, their executors, administrators and assignes, and everye of them, doe well and trulye observe, performe, fulfill and keepe all and singular covenantes, grauntes, artycles and agreements which on their partes are to be observed, perforemed, fulfilled and kepte, containyd,

plete property, an accompanying bond for 20 marks dated the same day, October 15, 1579, to guarantee the fulfillment of the covenant in the deed of sale, was executed by John and Mary Shackspeare, vendors, in favor of Robert Webbe, vendee. This bond also reposes in the Birthplace Museum. Both the deed of sale and the bond were signed by the "marks" of John and Mary. Their marks are reproduced in facsimile in F. C. Wellstood's *Catalogue of the Books, Manuscripts . . . Exhibited in Shakespeare's Birthplace* (pp. 26-27). The seals remain: on John's are the letters "I. S."; and on Mary's is a galloping horse. Both deed of sale and bond are here transcribed from the originals, and the transcripts were collated with those of J. O. Halliwell-Phillipps in his *Outlines* (II, 179-82). The deed is given above as Document 65. The abbreviated words are spelled out in full, the original spellings are retained, and, for purposes

of clarity, the whole has been punctuated in modern fashion. An English translation of the Latin part of the bond is appended.

The bond accompanying this deed of sale, here given as Document 66, was an integral part of the transaction. It too was dated October 15, 1579. The same persons—Nicholas Knooles (vicar of Aston Cantlow), William Meades, Anthony Osbaston, and “other moe”—witnessed both the deed and the bond. Both deed and bond identify John Shakespeare as “yoman.” The abbreviated legal Latin forms are here spelled out in full. The punctuation is modern.

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comprised and specified in one paire of indentures, bearinge date the daye of the date of this present obligacion, made betwene the above-named Robarte Webbe on the one partye and thabove bound John Shackspere and Marie his wiefte on the other partye, that then this present obligacion to be utterlye voyde and of none effecte, or ells to stande, remayne and be in full power, strengthe, force and vertue.

Signum Joannis + Shaxpere. + Signum Mariae Shacksper.

Scaled and delyvered in the presens of Nycholas Knooles, vicar of Auston, Wyllyam Maydes, and Anthonye Osbaston, with other moe.

[The English translation of the legal Latin of this bond is as follows]:

LET ALL MEN KNOW by these presents that we John Shakespeare of Stratford-upon-Avon in the county of Warwick yeoman, and Mary his wife, are held and firmly bound by Robert Webbe of Snitterfield in the county aforesaid yeoman, to pay twenty marks of good and legal English money to the same Robert Webbe or his certain attorney, executors, administrators, or his assigns; to make which payment well and faithfully we bind ourselves firmly, our heirs, and our administrators by these presents sealed with our seals. Dated this fifteenth of October, in the reign of our Lady Queen Elizabeth, by the grace of God Queen of England, France, and Ireland, defender of the Faith, etc. the twenty-first.

XXII

THE CONVEYANCE OF A SIXTH PART OF A
SNITTERFIELD ESTATE, 1580

RECORDED by a foot of fine in Easter Term, 22 Elizabeth, 1580, John and Mary Shakspeare, for £40 (about \$1,600), conveyed to Robert Webbe of Snitterfield “the sixth part of two parts of two messuages, two gardens, two orchards, sixty acres of land, ten acres of meadow, and thirty acres of heath . . .” The phrasing of the foot of fine indicates that the property being sold was Mary’s originally and not property acquired by John.

The foot of fine¹ for this sale of property interest is here given complete as Document 67. A transcript is given by

Halliwell-Phillipps in his *Outlines* (II, 176–77). Here, as in that transcript, the abbreviated Latin legal forms of the words are spelled out in full. The original has virtually no punctuation; but here, for purposes of clarity, modern punctuation has been used. An English translation has been appended.

A tabulated synopsis of this legal document will clarify the legal procedure. (1) The agreement was a final one. (2) The transaction was dated “from Easter Day in fifteen days” or in the Easter Term of the Court and in the twenty-second year of Elizabeth’s reign —“from the [Norman] Conquest” here still retained by needless repetition from

much earlier documents.² (3) The judges of the Court were Jacob Dyer, Thomas Meade, and Francis Wyndam. (4) Other persons loyal to the Queen were also there present in Court. (5) Robert Webbe was the complainant. (6) John Shakespeare and his wife Mary were the defendants. (7) The legal matter to be settled was the ownership of two parts of two messuages in Snitterfield. (8) The two parties had agreed between them that they be summoned before the Court. The matter of ownership was settled by compromise and agreement; that is, the first party acknowledged that the second ac-

¹ See chapter x, p. 113, footnote 4.

² See chapter xviii, p. 130, footnote 4.

tually owned the property and for this acknowledgment the second party paid the first party. (9) John Shakespeare and Mary his wife acknowledged that, though they held the property, the sixth part actually, by right, belonged to Robert Webbe (from whom fictitiously

(11) Agnes Arden (Robert Arden's second wife, and stepmother of Mary), widow, held a life lease in the property. (12) The property was the inheritance (source unknown) of Mary Arden. (13) On Agnes' death it should legally revert to Mary and her heirs. (14) After Mary's

in favor of Robert Webbe, Robert Webbe gave them £40 sterling.

It is not known from documentary evidence how Mary Arden came into possession of such a one-sixth interest in two parts or two shares of the Snitterfield properties. Her father's will of November 24, 1556, bequeathed her Ashbies in Aston Cantlow and a sum of money (see chapter vii, D, p. 88) there is no other record of a bequest or settlement in her behalf. By two deeds of conveyance of July 17, 1550, Robert Arden, reserving a lifelong interest for himself and his wife, Agnes Webbe-Hill-Arden, placed in trust one property or properties in Snitterfield for Agnes, Joan, and Katherine (the deed is printed in this volume, p. 20), and a second property or properties, also in Snitterfield, for Margaret, Joyce, and Alice (deed printed as Document 29). Since there is no record of other Snitterfield property belonging to the Arden family which may have passed to Mary and since it is clear from the terms of the foot of fine that "Agnes Arden holds [the property] to the end of her life," it seems logical that Mary now owned an interest in the property involved in the deeds of conveyance. The one-sixth portions of Agnes, Joan, Katherine, and Margaret can be accounted for, as will be seen later in this chapter. Two other sisters, Joyce and Alice, however, had not married and were probably both dead at the date of the Shakespeare sale to Robert Webbe. Adams (*Life*, p. 29) suggests that Mary received a one-sixth from Alice. Joyce disappeared from the scene in 1550; possibly she went to live with the Ardens at Pedmore near Stourbridge. If so, and if Mrs. Stopes (*Shakespeare's Family*, p. 46) has correctly identified her, she died there in 1557. With Alice and Joyce gone, the remaining six sisters (Agnes, Joan, Katherine, Margaret, mentioned in the deeds of conveyance, and Elizabeth and Mary) would each receive a sixth interest of the two vacant shares.

Robert Webbe was the young son of Alexander Webbe, who had married Margaret Arden, full sister of Mary Arden. Alexander Webbe, apparently with

[DOCUMENT 67]

[FOOT OF FINE CONVEYING PART OF A SNITTERFIELD PROPERTY TO ROBERT WEBBE, 1580]

HEC EST finalis concordia facta in curia domine Regine apud Westmonasterium a die Pasche in quindecim dies anno regnorum Elizabethæ, Dei gracia Angliæ, Franciæ et Hiberniæ reginæ, fidei defensoris, etc., a conquestu vicesimo-seundo, coram Jacobo Dyer, Thoma Meade et Francisco Wyndame, justiciariis, et aliis domine reginæ fidelibus tunc ibi presentibus, inter Robertum Webbe, querentem, et Johannem Shackspere et Mariam uxorem ejus, deforciantes, de sexta parte duarum partium duorum mesuagiorum, duorum gardinorum, duorum pomariorum, sexaginta acrarum terre, decem acrarum prati, et triginta acrarum jampnorum et bruere, cum pertinenciis, in tres partes dividendorum in Snitterfylde; unde placitum convencionis summonitum fuit inter eos in eadem curia, scilicet, quod predicti Johannes et Maria recognoverunt predictam sextam partem, cum pertinenciis, esse jus ipsius Roberti; et concesserunt pro se, et heredibus ipsius Marie, quod predicta sexta pars, cum pertinenciis, quam Agnes Arden, vidua, tenet ad terminum vite sue de hereditate predictæ Mariæ die quo hec concordia facta fuit, et que, post decessum ipsius Agnetis, ad predictam Mariam et heredes suos debuit reverti, post decessum ipsius Agnetis integre remanebit predicto Roberto et heredibus suis, tenendum de capitalibus dominis feodi illius per servicia que ad predictam sextam partem pertinent imperpetuum; et predicti Johannes et Maria, et heredes ipsius Mariæ, warrantizabunt predicto Roberto et heredibus suis predictam sextam partem, cum pertinenciis, sicut predictum est, contra predictos Johannem et Mariam, et heredes ipsius Mariæ, imperpetuum; et pro hac recognitione, concessione, warrantia, fine et concordia idem Robertus dedit predictis Johanni et Mariæ quadraginta libras sterlingorum.

[Concluded on p. 154]

they were withholding it). (10) John and Mary for themselves "and for the heirs of Mary herself" (a phrase suggesting that the property originally was Mary's and not John's) conceded the property to Robert Webbe; but there were certain legal reservations from Robert Arden's provision of 1550 which granted Agnes Arden a life interest in the property (see chapter vii, C, p. 85).

death it should remain wholly to Robert Webbe's heirs. (15) The property originally was held from the Lord of the Manor for services which pertained to that sixth part in perpetuity. (16) John and Mary and "the heirs of Mary herself" guaranteed to Robert Webbe the one-sixth part as declared—against the said John and Mary. (17) For this recognition on the part of John and Mary

the approval of the Arden daughters, was active in planning to gather together by purchase the several parts of their father's (Robert Arden's) Snitterfield properties. After 1560 he leased both tenancies from Agnes Arden (lease printed as Document 30, p. 86). He was, of course, in possession of his wife's one-third interest in one of the tenancies. In 1569 he purchased for £68 the shares of Agnes and Katherine from Agnes' husband, Thomas Stringer (who had previously purchased the share of Katherine and her husband, Thomas Edkins). These transactions placed Webbe in possession of one-third interest in one tenancy (his wife's interest) and two-thirds interest in the other tenancy. Alexander died, however, in April 1573, when Robert, his son, was in his fifteenth year. In three years Robert was to receive £10 (about \$400). His mother, soon after the death of Alexander, married Edward Cornwall. Cornwall, also, seemingly was definitely interested in the several shares of Robert Arden's Snitterfield estate. He secured in 1576 a confirmation of the purchase, made in 1569 by Alexander Webbe, of the interests of Agnes and Katherine. In 1576 the Cornwalls transferred to Robert the £10 bequeathed him by his father and they assigned to him also their interest in the Snitterfield estate, including the lease of May 21, 1560, of Agnes Webbe-Hill-Arden to her late brother Alexander, father of Robert. He thus owned the same portion of the property which his father had before his death. In 1580 he purchased the share of Joan, thereby acquiring complete ownership of the interest in one tenancy. In the same year he bought Mary and John Shakespeare's one-sixth interest in two shares of the other tenancy (he had received already the third share, one-third) which his mother Margaret had received from her father. Fripp (*Shakespeare's Haunts*, p. 95) estimates that Robert bought the shares of the parties, at a total cost of some £200. It is obvious that, whatever the complete purchase price, Robert did not himself pay the total sum, because he came into possession of part of each tenancy through his mother and her sec-

ond husband, Edward Cornwall. In his will of June 1, 1597, Robert Webbe³ devised the Arden Snitterfield property.

There still remains the question of the purchase price paid to the Shakespeares and the question of the relationship between the property concerned in this

bers (*William Shakespeare*, II, 40) accepts £4 as the purchase price paid to the Shakespeares. The fact is that those scholars fused two entirely different transactions: (1) this 1580, Easter Term, foot of fine conveying a "sexta parte" of the Snitterfield property and (2) a deed

[The English translation of the legal Latin is as follows]:

THIS is the final agreement made in the Court of Her Majesty the Queen at Westminster from Easter Day in fifteen days in the reign of Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith, &c., and from the Conquest [actually 22 years from the accession (1558) of Elizabeth] the twenty-second, in the presence of Jacob Dyer, Thomas Meade and Francis Wyndam justices and others loyal to her Majesty the Queen then present there. Between Robert Webbe complainant and John Shakespeare and Mary his wife defendants concerning the sixth part of two parts of two messuages, two gardens, two orchards, sixty acres of land, ten acres of meadow, and thirty acres of heath and a brewery [?] with the appurtenances in three parts of divisions in Snitterfield; a plea of agreement had been summoned between them in the same Court. To wit: that the aforesaid John and Mary recognized the aforesaid sixth part with the appurtenances to be the right of Robert himself; and they conceded for themselves and for the heirs of Mary herself that the aforesaid sixth part with the appurtenances which Agnes Arden widow holds to the end of her life of the inheritance of the aforesaid Mary on which day this agreement was made, and that, after the decease of Agnes herself, it should revert to Mary and her heirs after the decease of Agnes herself, it will remain wholly to the aforesaid Robert and his heirs, held from the Lords of the Manor of that fief for the services which pertain to the aforesaid sixth part in perpetuity. And the aforesaid John and Mary and the heirs of Mary herself will warrant to the aforesaid Robert and his heirs the aforesaid sixth part with the appurtenances, as declared before, against the said John and Mary and the heirs of Mary in perpetuity. And for this recognizance, concession, warrant, fine and agreement the aforesaid Robert gave the aforesaid John and Mary forty pounds sterling.

foot of fine and that in the deed of sale discussed in chapter xxi. Sidney Lee (*Life*, p. 14), following Halliwell-Phillipps (*Outlines*, II, 176 and 179), declared that in one document the sum paid for this one-sixth interest was £4 and in another that it was £40. Cham-

³ A good résumé of the life of Robert Webbe is in E. I. Fripp, *op. cit.*, pp. 94-99; a good digest of his will is on pp. 98-99.

of sale dated October 15, 1579, in which John Shakespeare conveyed his own interest in Snitterfield property for £4. Both transfers of property were to Robert Webbe. The two documents are carefully and separately drawn and have to do with wholly different property interests. Although £40 may appear to be a large price for the purchase of one-sixth of two shares (or one-third of one

share), £4 is too small a purchase price. The price paid for the shares of Agnes and Katherine was £68, or £34 a share. It may be that the approach of Agnes Arden's death made young Welbhe willing to pay more for the holdings of the Shakespeares. He had been paying a rental of £4 a year to Agnes Arden for the two tenancies. Certainly he would have been willing to pay more for property which he would own outright than he would for an "interest" in that prop-

erty which he would receive some ten or twenty years hence.

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XXIII

THE BAPTISM OF EDMUND SHAKESPEARE, 1580

THE Stratford Parish Register contains among the "Baptisms" the entry here given as Document 68. The prefixed title "Mr," always accorded John Shakespeare after 1568-69 when he was High Bailiff, appears here also.

[DOCUMENT 68]

[STRATFORD PARISH REGISTER ENTRY FOR THE BAPTISM OF EDMUND SHAKESPEARE, 1580]

[1580]

May 3 Edmund sonne to Mr John Shaksperc

Little has yet come to light concerning William Shakespeare's youngest

brother Edmund. He appears to have gone to London and to have become a player. He died at the early age of twenty-seven, if the entry for "Burials" in the Register of St. Saviour's, Southwark, is for John Shakespeare's youngest son (see chapter lxxiv, Volume II).

In view of the silence which obtains concerning village and home life in

Elizabethan England and particularly with respect to the boyhood of the great genius, William Shakespeare, it is not surprising that history and tradition alike have little to say about Edmund Shakespeare except that he was born and that he died. What individuality the sons of John and Mary Shakespeare showed in youth, what experiences they had, what vicissitudes they survived, we do not know—we cannot even conjecture with any degree of certainty. Time and the customs of William Shakespeare's era—including the lack of literary appreciation of the actual, the contemporary world—have obliterated much which would today be extremely welcome to Shakespearean students.

XXIV

RICHARD HATHAWAY'S LAST WILL AND TESTAMENT, 1581

THE original of Richard Hathaway's will has not been located; but the probate copy is in the Prerogative Court at Somerset House in London. This transcript is from that copy. Other transcripts, made apparently from the copy in the Registry at Somerset House

and consequently varying in minutiae from this, are in J. W. Gray, *Shakespeare's Marriage* (pp. 221-23), also J. O. Halliwell-Phillipps, *Life of William Shakespeare* (pp. 292-93) and his *Outlines of the Life of Shakespeare* (II, 195-96)—in which volume are also the will of Bartholomew (pp. 196-97), a son,

and that of Richard (p. 198), grandson of Richard Hathaway.

This will, which is well organized and very clearly expressed, in content and in phrasing resembles such testamentary documents of the late sixteenth century (see chapter xcvi, Volume II, Shakespeare's will, for the organic form

of such an instrument). The original of the probate copy of this will is not fully punctuated, yet more fully than most Elizabethan wills. The transcript given as Document 69 is virtually literal: the few spellings in this document still in the abbreviated forms of the sixteenth century are here spelled out in full, with the added letters enclosed in brackets. A facsimile is reproduced also.

This will shows Richard Hathaway, father of Anne Hathaway, wife of William Shakespeare, to have been a man well-to-do, a substantial husbandman somewhat prominent in the community, an indulgent but just husband and father. It should be noted that this will (a) does not divide the property into three equal parts (very few wills of the period do so), and that (b) it does not make dower provision for the wife though, in a way, she is provided for. Probate for this will was granted to Joan Hathaway, Richard's widow, at London, July 9, 1582.

This will and testament merits some detailed attention: (a) By September 1, 1581, the day on which the will was executed, Richard Hathaway was "sicke in bodie" but of "perfecte memorye." (b) Richard Hathaway was a "husbandeman" of "Shottree." (c) The religious phrasing of the will is not definitely Catholic, as many other wills of the period were, but rather somewhat Protestant—later in the document he speaks of being "honestlie Buryed," which was a Puritan phrase. (d) His body is to be buried within "the Church" or in the "churche yarde of Stratforde": burial inside the church indicates a degree of social and financial prominence, and a character not objectionable to interment in the church. (e) To each of six children—Thomas, John, William, Agnes [Anne], Catherine, and Margaret¹—he bequeaths the same sum, £6 13s. 4d. (about \$250), except that to his youngest

[DOCUMENT 69]

[RICHARD HATHAWAY'S WILL, 1581]

IN THE NAME of god Amen, the ffirst daye of September in the yeare of our lorde god 1581 and in the Thre and Twentieth yeare of the Raigne of our Sou[er]aigne ladie Elizabeth by the grace of god Queene of Englande ffraunce and Irelande Defender of the ffaythe etc I

Rychard Hathway of Shottree in the p[ar]ishee of Stratforde vpon Avon in the countie of Warwicke husbandeman
Hathway Beinge sicke in bodie butt of p[er]fecte memorye I thanke my lorde god, do ordayne and make this my last will and Testment in maner and forme ffollowinge, ffyrst I bequeth my soule vnto almightie god (trustin^g e to be saved by the merytes of Christes passyon and my Bodie to be Buried in the Church or churche yarde

Thomas
of Stratforde aforesaide, Item I geve and bequethe vnto John¹ my sonne vj^{li} xiijs^s iiij^d to be paid vnto him att the Age of Twentie yeares

John
Item I geve and bequeth vnto William my sonne vj^{li} xiijs^s iiij^d to be paid vnto him at the Age of Twentie yeares Item I geve and bequethe vnto William my Sonne Tenne poundes to be paide vnto him att the Age of Twentie yeares Item I geve and bequethe vnto Agnes my daughter vj^{li} xiijs^s iiij^d to be paide vnto her att the daye of her maryage Item I geve and bequethe vnto Catheryne my daughter vj^{li} xiijs^s iiij^d to be paid vnto her att the daye of her maryage Item I geve and bequethe vnto Margaret my daughter vj^{li} xiijs^s iiij^d to be paid vnto her att the Age of Seventeyne yeares, And yf yt fortune that anie of my saide sonnes or daughters before named, That ys to saye, Thomas, John, William, Agnes, Catheryne or Margaret, to decesse before they Receave there Legacies, Then my will ys that the legacies of he or shee so decessed to Remayne equallie Amonge the Rest and so vnto the longest lyvers of them, Item my will ys (w[i]th the consent of Joane my wife) that my oldest sonne Bartholomewe shall have the use Co[m]moditie and p[ro]fettes of one half yarde lande w[i]th all pastures and medowinge therto belonginge w[i]th the appurten[an]ces to be Tylled mucked and sowed att the charges of Joane my wife, he onlie fyndinge seede duringe the naturall lyfe or wydowhode of the same Joane my wife, To be severed from the other of my lande for his Co[m]moditie and p[ro]fette, And my will is that the same Bartholomewe shall be a guyde to my saide wife in her husbandrie, And also a Comforte vnto his Bretherne and Sisters to his power

¹ The three sons, Thomas (b., i.e., baptized, 1569), John (b. 1575), and William (b. 1578) were, respectively, the first, second, and third sons by his second wife Joan; the two daughters Agnes (b. 1556) and Catherine (b. 1563) were, respectively, the first and second daughters by his first wife, whereas Margaret (b. 1572) was the second daughter by his second wife; Joan, the first, born in 1566, had died in 1572 at the age of six.

child William he bequeathed £10 (about \$400). In 1581 William was only three years old.

Certain observations are in order: (1) Though these children are from two different families in the same house-

hold, Richard Hathaway treats these children equally well, except that he takes special care of the little boy, William. (2) The bequests to Agnes [Anne] and Catherine, daughters by his first wife, were each "to be paide vnto

Debt to be paid.

Item foww butte fuf u. Linder u.

Item some 1/2 lb of mas' roshall mytton mrs. [illegible]

from some but to make a copy for me

[illegible]

Provyded always that if the saide Joane my wife shall att anie tyme or tymes att after my decesse goe about to disanull or ^{to} take a waye from my saide sonne Bartholomewe the forsaid half yarde lande with the appurten[a]nces So that he do not enioye the Co[m]moditie and p[ro]fette of the same Accordinge to the true meaninge of this my last will and Testament Then my will ys that the saide Joane my wife shall geve deliuer and paye vnto my saide Sonne Bartholomewe w[i]thin one yeaere after anie suche denyall, or discharge the Some of flortie poundes of lawfull Englyssh money Item my will ys that all the Seelinges in my haule house w[i]th Two Joyned Beddes in my p[ar]lour shall Contynewe and stande unremoved duringe the naturall lyfe or weddowhoodde of Joane my wyfe, And the naturall lyfe of Bartholomewe my sonne and John my Sonne, And the longest lyver of them, Item I geve and bequethe vnto euerie of my god children iiij^d a peece of them Item I geve and bequethe vnto Agnes Hathway and Elizabeth Hathway daughters vnto Thomas Hathway a sheepe a peece of them, This bequest done debtes payde and legacies Levied and my bodie honestlie Buryed, Then I geve and bequethe all the Rest of my goodes moveable and vnmoeable vnto Joane my wife who I make my sole executrix to see this my last will and Testament truelie p[er]formed And I desire my Trustie ffryndes and neigh-

Burman

boures Stephen ^{Burman} and ffowlke Sandels to be my sup[er]visors of this my last will and testament and they to have for their paynes, therin to be taken xij^d a peece of them, Wyttnesses Sir William Gylbard

Burman

clarke and curate in Stratforde Rycharde-Burman John Rycharstones and John Hemyng with others signum Rich[ard]i Hathwaic testatoris.

Debtes to be payde

| | |
|---|--|
| In primis I do owe vnto my neighbour John Pace | xl ^s |
| Item I owe vnto John Barber | xxxvi ^s iiij ^d |
| Item I owe vnto Thomas Whittington my sheepherd | iiij ^{li} vi ^s viii ^d |
| Item I owe vnto Edward Hollyhocke for woode | xx ^s |

Probatum ix^o die mensis

Julij Anno D[o]m[in]i 1582 Juram[ento]
 Petri Johnson no[tar]ij pub[li]ci p[ro]cu[r]a[toris]
 Joanne relicte et ex[ecu]t[ri]ce Cui etc. de
 bene etc Jurat

Jn[ventioru]m ex[hibi]t[um] xiiij^o

her att the daye of her maryage," where-as the bequest to Margaret (she was but nine years old) was to be paid her when she reaches "Seventeyne yeaeres." The phrase "to be payde vnto her att the daye of her maryage" suggests that the marriage of each girl had already been ar-

ranged. In 1581, Agnes was twenty-five and Catherine was eighteen. Perhaps marriage between Agnes [Anne] and William Shakespeare was already in contemplation. Certainly they cohabited by the following August (Susanna their first child was baptized May 26, 1583)

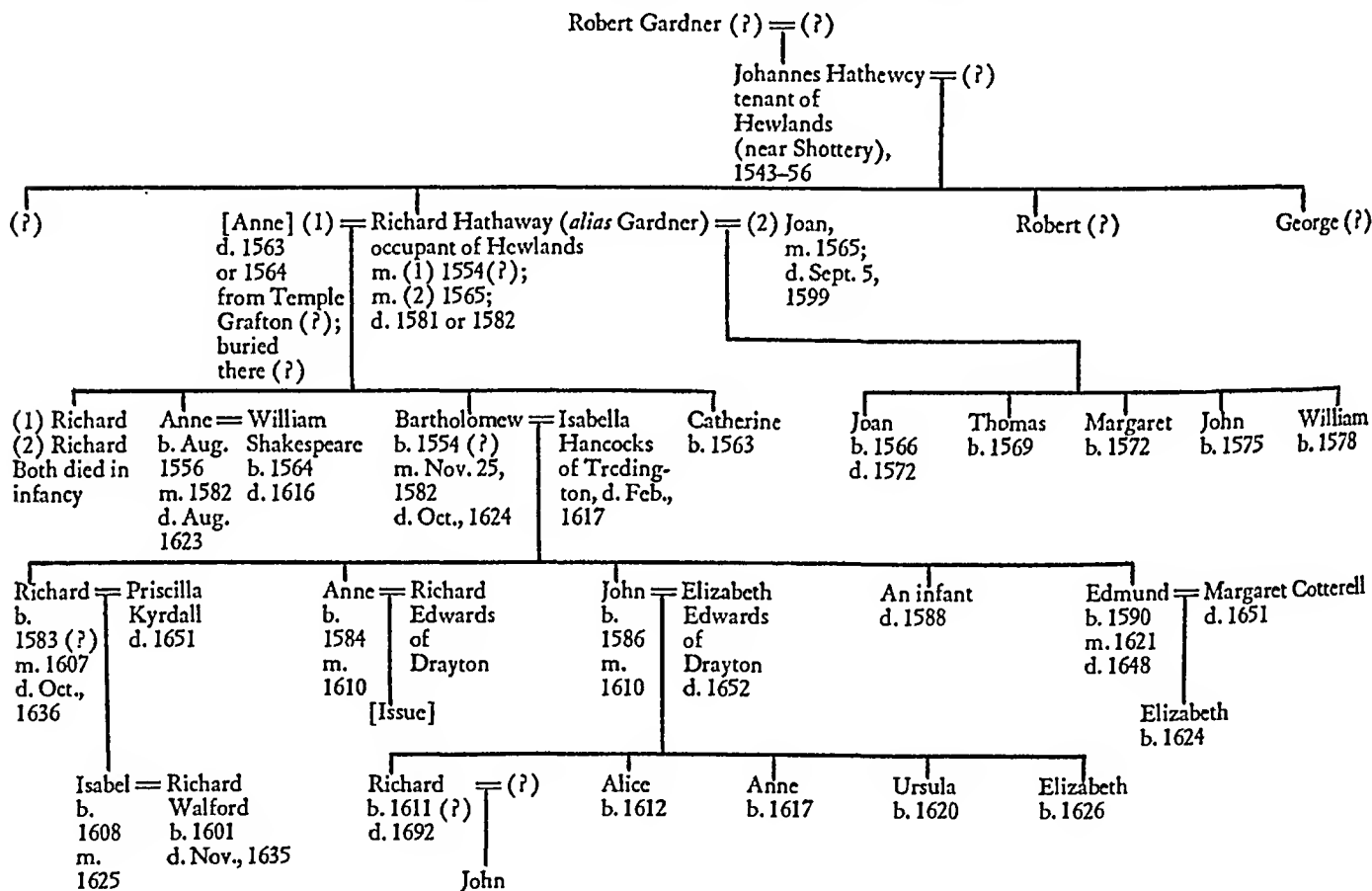
and in November (1582), by license and by a formal church service, were married. In the event that any one of the five children named above deccased before receiving the legacy, the sum was to be divided equally among those remaining—and so on to "the longest lyvers of them." (3) Special arrangements were made for the oldest son, Bartholomew (born about 1554, died 1624), who was a man of about twenty-seven. (4) ". . . all the Seelinges [wainscot] in my haule house [main large house] with Two Joyned Beddes in my parlour" shall remain where they are during the life or widowhood of Joan his wife, the life of Bartholomew, and the life of his son John. This is a strange request. It does, however, suggest a house of some proportions. (5) Four pence was bequeathed to every godchild. (6) A "sheepe a peece of them" was bequeathed to "Agnes Hathway and Elizabeth Hathway daughters vnto Thomas Hathway." This Thomas Hathaway has never been found to be related to Richard Hathaway. (7) It left the rest of his "goodes moveable and vnmoeable vnto Joane my wife." (8) Joan his wife was appointed the executrix. (9) ". . . my Trustie ffryndes and neighbours Stephen Burman and ffowlke Sandels" were appointed the supervisors, at 12d. (about \$2.50) each for their services. (10) Witnesses were: "Sir [title for a priest] William Gylbard," who was the clerk and curate of Stratford Parish Church; "Rycharde Burman"; "John Rycharstones," one of Shakespeare's bondmen when he secured his marriage license; "John Hemyng," who was not the John Heminges of Shakespeare's London theater company; and "with others" is a frequently recurring statement to include additional witnesses. (11) Richard Hathaway made his cross for his mark; "signum" appears with it. (12) Quite as in many other wills, a list of debts is appended, one of which is £4 6s. 8d. to Thomas Whittington, his shepherd, who, for the most part, had entrusted his earnings and holdings, in the absence of modern banks, to the custody of some of the Hathaways and others.

The special provision for the oldest son, Bartholomew—"with the consent of Joan my wife," and provided that Joan do not "goe about to disanull or to take a way" from Bartholomew the effects of his father's will—suggests that not all was harmony in the Richard Hathaway household. Bartholomew within a short time after his father's

suage or tennement wherein I now dwell and inhabite in Shottery, and allso all those messuages or tennements, with th'appurtenances, in Shottery, now in the occupacion of Thomas Lambe and Edward Sands, together with all that my two yard land and a half of a yard land, with the appurtenances thereunto belonging, lying and beeing in the

wills, deeds, tenancies, surveys, etc., the following family tree has been constructed. It is now rather definitely certain that Richard Hathaway had two wives and that in his household there were two sets of children. To the older of these two groups belonged Anne Hathaway, the wife of William Shakespeare. Whether or not the first wife

THE GENEALOGY OF THE HATHAWAY FAMILY



death married, left Hewlands, near Shottery, and went to live at Tysoe, where he remained for more than a year, during which period his first child, Richard, was born, and then returned to Shottery and lived there until his death in 1624. His stepmother, Joan, died in 1599. That the Shottery property continued to remain in the Hathaway family is evidenced by a bequest in the will of Richard Hathaway, the grandson of Bartholomew, dated November 26, 1684: "I give and bequeath unto my sonne, John Hathaway, all that my mes-

common fields of Shottery aforesaid and Old Stratford, to have and to hold the said messuages or tennements, lands, closes and premisses, and every part and parcell thereof, with the appurtenances, unto my said son, John Hathaway, his heires and assigns for ever." This grandson of Bartholomew was buried in 1692: "Aperll 17 Richard Hathaway."

The Hathaway genealogy, that is, the genealogy of the Anne Hathaway branch of the many Hathaways, has been a subject of conjecture, misstatement, and downright error. From many

was an "Anne" is not certain; but that she was Anne is highly probable, for the oldest daughter was often named for the mother. Whether or not this first wife was from Temple Grafton—the Temple Grafton of the Shakespeare Hathaway license entry of November 27, 1582—cannot be demonstrated.

Hathaways, *alias* Gardiners, were plentiful in Gloucestershire and Warwickshire and in other parts of England. As early as 1482-83 a John Gardiner and his wife Alice joined the Stratford Gild. The particular Hathaway *alias*

Gardiner family to which Anne Hathaway belonged was conspicuous in Stratford Parish, but outside the borough, in 1520 and long before. A Robert Gardner in April 1520 was on the "Jury of Frankpledge," in the Court Leet of the manor; and a John Hathaway was elected constable in October 1520. Both Robert and John in 1522 were on the Jury of Frankpledge, probably as father and son. In the years 1528-1530 this John Hathaway was on the Jury. This same John Hathaway was tenant of Hewlands, near Shotttery, from 1543 to 1556, according to the Longbridge MS.² In the years 1544-1548 he was again on the Jury. In 1536 this John Hathaway was identified as an "able" man and "archer." In 1544 he was fined, with others, 20d. for permitting his sheep to stray into the "several [individual] land" to the common harm. In 1547, in April and again in October, he had a stray sheep (valued at 2s. 8d.) in his keeping. In 1548 he was elected constable. In 1549, since he was not a freeholder, he was assessed £10 (about \$400) on his goods. His burial is not recorded in the Stratford Register, which begins in March 1558: hence it is assumed that he died before that date. Since this John Hathaway was identified as a tenant of Hewlands (adjoining Shotttery) from 1543 to 1556, and since Richard Hathaway was also identified as the occupant of Hewlands, it is held that Richard was the son of John. And from Richard's will (1581) it is clear that he was the father of Anne Hathaway. Moreover, Joan, Richard's second wife, lived at this same Hewlands until her death in 1599. Beyond all reasonable doubt the relations among these Hathaways are clear and definite.

The following facts are known con-

cerning Richard Hathaway: (1) About 1553-54 he married a woman, perhaps named "Anne." (2) Five children were born to this union: two Richards who died as infants, Bartholomew in 1554, Anne in 1556, and Catherine in 1563. (3) For December 7, 1563, in the local Court of Record is the entry: "Richardus Hathaway queritus versus Robertum Miles in placito debiti"—a plea of debt against Robert Miles, who was a brewer and yeoman of not altogether enviable reputation. Miles did not appear; then followed, on December 23, the conventional distringas. On January 24, 1564, Miles made his will (inventory of goods made by William Bott of New Place; probate before John Bretchgirdle, vicar, in the Court of Peculiar, May 15) and was buried on the 31st. An item in the account of a son of Thomas Fille, who was in the custody of Robert Miles, reads: "Paid to John Shakespeare 15d." (4) In 1563 or 1564 Richard's first wife and Anne's mother died. (5) In 1565 Richard married one Joan, who bore him five children: Joan in 1566, Thomas in 1569, Margaret in 1572, John in 1575, and William in 1578. Thus there were two groups of children in the Richard Hathaway household. (6) On August 28, 1566, John Shakespeare, a close friend of Richard Hathaway, went surety for Richard Hathaway for a Grant of Caiphas (documents concerning this case were discovered by Captain Saunders) against Richard by John Page, to whom he owed £8 (about \$320). This Latin Grant of a Caiphas in the handwriting of Henry Higford (new steward of Stratford) is printed in part in Halliwell-Phillipps' *Outlines of the Life of Shakespeare* (II, 230). Likewise there is an issue of a writ of distrain, September 11, on John Shakespeare's security. Nothing more of the case is known: presumably in the fall, with barns full, Richard Hathaway paid. (7) The Hathaways and the Shakespeares were good friends. (8) The Hathaways, in all likelihood, were not "Papists" else John Shakespeare would not have gone Richard's security. (9) In 1581, Richard Hathaway made his will, in which bequests were made to each of

his children. (10) Late in 1581 or early in 1582 Richard died. (11) The widow Joan appears not to have married again but continued to live at Hewlands until 1599, when she died.

Bartholomew Hathaway, oldest living son of Richard and brother of Anne, became a conspicuous figure: (1) He was born about 1554. (2) His father's will bequeathed the use of a half yardland (with the consent of his wife Joan) to Bartholomew. (3) On November 25, 1582, he married Isabella Hancocks of Tredington. (4) They went to Tysoe to live during a year or two—in 1583 he was farming there. (5) Five children were born to them: Richard in 1583 at Tysoe, Anne in 1584 at Hewlands, John in 1586, an infant (who died also) in 1588, Edmund in 1590. (6) In 1584 Bartholomew returned to reside at Hewlands. (7) In 1586 he helped to appraise the goods of William Sych of Shotttery. (8) In 1599 his stepmother died. (9) From 1605 to 1609 he was churchwarden. (10) In 1608 he helped to appraise the goods of Alice Burman of Shotttery. (11) In 1610 for £200 he purchased the old homestead Hewlands farm, and Shakespeare's lawyer, Francis Collins, drew up the deed for the transfer. (12) His oldest son Richard, born in 1583, became Richard Hathaway, a baker, in Bridge Street in Stratford, Councilman (1614), Churchwarden (1616), Chamberlain (1617), and Alderman (1623). Richard attended the funeral of his uncle, William Shakespeare, in 1616, and that of his aunt, Anne Hathaway-Shakespeare in 1623. (13) Bartholomew died in October 1624. (14) His Protestant will and his inventory of goods are in Halliwell-Phillipps' *Outlines* (II, 196-98). (15) John Hall, gentleman, of Stratford, and son-in-law of William Shakespeare, was the overseer of his will.

The bequests in Thomas Nash's codicil (1647) and in Lady Barnard's will (1670; Elizabeth Hall-Nash-Barnard) to the several Hathaways do not seem to be to any of Anne Hathaway's family.

As to Anne Hathaway: (1) According to her gravestone in the Stratford church, Anne was sixty-seven years old

² The Longbridge MS (since burned, but quoted by Halliwell-Phillipps, *Outlines of the Life of Shakespeare*, II, 190) was a survey dated October 1556. It read: "Johannes Hatheway tenet per copiam curie datam xx. die Aprilis, anno regni nuper regis Henrici Octavi xxxiiij., unum messuagium et dimidium virgatum terre, jacentem in Shotttery vocatam Hewland, et unum messuagium et unum virgatum terre nuper in tenura Thome Perkyas, ac unum toltum et dimidium virgatum terre vocatam Hewlyns, cum suis pertinenciis, ibidem habendum sibi et suis secundum consuetudinem manerii predicti, reddendo inde per annum, xxxiiij. viij. d., sectam curie et finem ac berietum cum acciderit."

in 1623; hence she was born in 1556. (2) Her mother, perhaps named Anne also, died in 1563 or 1564, about the very time that William Shakespeare was born. (3) Anne acquired a stepmother in 1565. (4) Late in 1581 or early in 1582, her father died. (5) On November 28, 1582, she married William Shakespeare. (6) Her father's will, bequeathing £6 13s. 4d. (about \$250) to Anne, and the same sum to her sister Catherine, appears to have been written in contemplation of her marriage. (7) The couple went to live with the John Shakespeares in Henley Street: the oldest son, conventionally, when married took up his abode with the family of his father. (8) Three children were born to them: Susanna, baptized May 26; and twins, Hamnet and Judith, in 1585. (9) On August 11, 1596, Hamnet was buried. (10) In 1597 they moved to New Place, which became their permanent home. (11) In 1602, the will² of Thomas Whittington, shepherd to Richard Hathaway, her father, shows that sum that is in the hand of Anne Shaxspere³ shall be paid to the poor. This may have been an actual debt; but judging by similar sums of Whittington's in others' possession, the sum had been entrusted to her for safekeeping. (12) In 1607, their daughter Susanna married John Hall, physician. (13) William died in 1616, bequeathing her in his will the second-best bed. (14) In 1623 Anne died.

Legal decisions (see Elton, *William Shakespeare, His Family and Friends*, p. 29) both before 1582 and after show that "Anne" and "Agnes" were distinct names, that is, were not necessarily mere variations in spelling. These legal decisions show that the confusions had to be clarified. Actually the documentary evidence is plentiful that in the same legal instruments (wills, deeds, tenancies), the names "Anne" and "Agnes" frequently were carelessly interchanged. Thus, *Promptorium Parvulorum* (in manuscript as early as 1400; published 1499 and 1508; reprinted in *Camden Society Publications*, XXV, 1843; LIV, 1851) asserts "Annys, proppr name, Agnes." In "Agnes" Arden's will, she calls herself "Agnes"; but in 1556 her husband calls her "Annes" and in the inventory of her goods in 1581 also she is called "Anne." Two entries in the Bishopton Register show the careless interchange: (a) 1598-99, 1602, "Thomas Greene and Agnes his wife"; (b) 1605, "Thomas Greene and Anne his wife." Philip Henslowe's wife is "Agnes" in his will; but the Dulwich Register and her tombstone both have "Anne." Harleian MS 6072 contains a seventeenth-century tourist's transcript of a Clopton inscription in Stratford Church, which makes the same mistake: "here lyeth the bodyes of William Clopton, esquier, and Anne his wife, daughter of Sir George Gryffith, knight, which William deceased

the 18 of April, 1592; the said Agnes deceased 17 of September, 1596." In old documents, Anne appears in such spellings as Annys, Annysce, Anneys, Annes.

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XXV

THE MARRIAGE OF WILLIAM SHAKESPEARE
AND ANNE HATHAWAY, 1582

TWO documents of particular importance regarding William Shakespeare, the man, are those relating to his marriage to Anne Hathaway. One is the marriage license issued to them and the

other is a bond of surety necessitated under the ecclesiastical laws then in force.

A. In Bishop Whitgift's¹ Register of the Diocese of Worcester, Vol. XXXII,

folio 43^b, appears the entry, here given as Document 70, for the issue to William Shakespeare and Anne "whateley" of a common license to marry.

The entries immediately before this

¹ John and William Hathaway, sons of Richard's second wife, Joan, are legatees in the will.

² John Whitgift, Bishop of the diocese of Worcester at the time of Shakespeare's marriage, was a man of more than ordinary consequence in the ecclesiastical-

social world of his day. He was born about 1530 in Lincolnshire. His father was Henry Whitgift, a merchant of Great Grimsby. His uncle, Robert Whit-

one, "inter w^m Shaxpere et Annā whateley," are "lic[e]n[ci]a" for "matrimonii." From the phrasing in this entry, "27 die eiusd[e]m mensis (on the 27th day of the same month)" "It[e]m eodem die si[ni]lis emanavit lic[e]n[ci]a (likewise on the same day similarly was issued a license)"—it is clear that the license was for marriage. The

rather than "thrice" declaring of the banns. Scores of others in this same Register are identical with it; moreover, literally hundreds of entries in other bishops' registers in other dioceses are identical in kind, and, conventionally, entries for *licencia matrimonii* are in Latin.

This Bishop's Register is one of the

marriage to teaching a school (folio 108 has a license to teach in the "Gramer School" at Stratford-on-Avon), et cetera. In this particular part of the Register is a list of various licenses granted between April 1579 and March 1585. This entire list of licenses appears to be in the same handwriting. After March 1585 no further *licencia de matrimonii* were entered in the Bishop's registers.

The Rev. T. P. Wadley first directed attention to this entry. Halliwell-Phillips was the first Shakespearean scholar to whose attention it was directed.

The crux of the entry is the identification of "Annā whateley." The Rev. T. P. Wadley's discovery of this entry prompted some scholars to question seriously Rowe's statement (1709) that Shakespeare's wife was "the daughter of one Hathaway." And since then, from Halliwell-Phillips to Adams, comments have been rife.

Dr. Karl Elze (*William Shakespeare*, 1888, p. 73) queried: "Can it be that this entry refers to Anne Hathaway's first [?] marriage?" Now the marriage bond (see p. 164, below) identifies "Anne hathwey" as "maiden": this is evidence directly against her ever having been married before. Moreover, the Constitutions of Canons of 1597 and the 104th of the English Canon Law of 1604 especially except the consent of a widow's parents in the event of a subsequent marriage; and if Anne had been married previously she would not have been required to secure the consent of "hir frindes": the bond definitely requires that "william Shagspere do not proceed to solennization of mariadg

[DOCUMENT 70]

[DIOCESE REGISTER ENTRY OF A MARRIAGE LICENSE ISSUED TO WILLIAM SHAKESPEARE AND ANNE HATHAWAY, 1582]

Dispensacoñis concessa a festo Anuciacoñis bte Marie Virginis Anno dñi 1579^o prout sequuntur

Anno dni 1582.

Novembris

27 die eiusdñm mensis

Itñ eodem die sñlis* emanavit licñia inter

w^m Shaxpere et Annā whateley de Temple grafton

* A number of scholars have transcribed this word as "*s[upra]di[cti]s* (above mentioned)." Yet "sdis" is not the conventional abbreviation, in that period, for "supradicto." On the other hand, "sñlis" is the oft-recurring abbreviation for "similis," though more frequently it is spelled out in full. The script in this entry is clear enough; and "similis" appears to be the more probable transcript. Fripp (*Shakespeare's Haunts*, p. 21) has "similis." A good facsimile of this clearly written Latin entry may be found in J. W. Gray, *Shakespeare's Marriage*, p. 21.

license was the "common license" of the day and in no sense an expensive "special license" (between 1530 and 1573, only three "special licenses" appear in this Register), as some scholars have stated; that is, so far as this license is concerned there is nothing either uncommon or unusual about it. Virtually the only slight variation was the "once"

series of similar folio volumes at Worcester. The entries begin as early as 1268 and continue to the present time. These registers, in their handwritten entries, are a record of the official acts of the Bishop of Worcester, John Whitgift in this case, such as visitations, consecrations, dedications, elections, copies of papal bulls, licenses of every sort from

gift, educated him at the monastery of Wellow near Great Grimsby, at St. Anthony's school in London, and at Cambridge, where, in 1555, he became a fellow of Peterhouse. Taking orders in 1560, he became chaplain to the Bishop of Ely. His ecclesiastical mind led to his appointment in 1563 to the Lady Margaret Professorship of Divinity at Cambridge and then, in 1564, to the Regius Professorship of Divinity. He became Master of Pembroke and then of Trinity. In 1570 he aided in compiling the statutes of the University and was in the same year elevated to be Vice-Chancellor. A most effective disciplinarian in favor of Church uniformity, he played a part in depriving Thomas Cartwright in 1570 of his professorship, and in 1571, as Master of Trinity, deprived him of his fellowship in the University. In 1571 he was made Dean of Lincoln. In 1577 he was appointed

Bishop of Worcester, which position he held until 1583—the year following Shakespeare's marriage. In 1583 he was elevated to the archbishopric of Canterbury, which see he occupied until his death. In 1586 he became a member of the Privy Council. His action gave rise to the famed Marprelate Tracts, which bitterly attacked bishops and clergy. In 1593 he effected the passage of a law making Puritanism an offense against the statute. He differed from Thomas Hooker in his policies, and prohibited Walter Travers from preaching, but made arrangements possible for Hooker to complete his *Ecclesiastical Polity*. His Calvinistic precepts, drawn up and known as the Lambeth Article, were not accepted by the Church. On February 29, 1604, he died at Lambeth; he was buried in the church of Corydon, where in 1595 his name was attached to a hospital for the poor.

Actually Whitgift was not "a narrow, mean, tyrannical priest, who gained power by servility and adulation," as Macaulay asserted; but he was passionately devoted to the supremacy of the Church, exhibiting even intolerance and arbitrariness. He was conspicuous for his hospitality as well as for his ostentation, as is suggested by his sometimes visiting Canterbury attended by a retinue of eight hundred or more horsemen. While he remonstrated against Elizabeth's alienating of Church property, he zealously carried out her policies against Puritanism. Always he retained her confidence, and he attended her on her deathbed. In 1603 he crowned James I King of England.

While Whitgift had no direct hand in the events relating to Shakespeare's marriage, his standards of discipline prevailed throughout the diocese of Worcester.

with the said Anne hathwey without the consent of hir frindes."

A Mr. A. Hall (*The Athenaeum*, July 17, 1886) pointed out the possibility that "Richard Hathaway, *alias* Gardener of Shottery, who died in 1582, may have married a widow named Whateley from Temple Grafton, which would then be Anne Hathaway's birthplace. . . . This assumption would account for her exclusion from her father's will." There is no evidence of such a marriage, though Richard Hathaway did marry a second wife, Joan; and Anne Hathaway was not excluded from her father's will (discussed in chapter xxiv, above).

Sir Sidney Lee (*Life of William Shakespeare*, 1915, pp. 23-24) asserts that the entry is not for the poet and Anne Hathaway: "The theory that the maiden name of Shakespeare's wife was Whateley is quite untenable, and it is unsafe to assume that the bishop's clerk, when making a note of the grant of the license in his register, erred so extensively as to write 'Anne Whateley of Temple Grafton' for 'Anne Hathaway of Shottery.' The husband of Anne Whateley cannot reasonably be identified with the poet. He was doubtless another of the numerous Shakespeares who abounded in the diocese of Worcester." True, there were other William Shakespeares; but Lee rather exaggerates when he says "numerous William Shakespeares." If it is accepted, with Lee, that this William Shakespeare of the entry is not the William Shakespeare of the bond, then the anomalous situation arises that there is no Shakespeare-Whateley bond and that there is no actual Shakespeare-Hathaway entry—though the Register has other instances where either the corresponding bond or the corresponding entry in a given marriage is wanting. Moreover, not every marriage license carried with it a corresponding marriage bond. The further anomalous situation would be that on two days so close together as November 27 and November 28 in the same diocese, two William Shakespeares entered matrimony: one with a marriage-license entry in the Register and one without such entry; one with a

marriage bond and the other without such bond; one marrying a maiden Anne Whateley and the other marrying an Anne Hathaway; one of the brides from Temple Grafton, only five miles west from Stratford-upon-Avon, and the other from Stratford itself; one of the men (of the entry) spelling his name "Shaxpere" and the other (of the bond) spelling his name "Shagspere."

J. Q. Adams (*A Life of William Shakespeare*, p. 75), accepting J. W. Gray's explanation (see below) of the clerk's clerical and orthographical error in writing "whateley" for "hathwey" and holding that Shakespeare married the daughter of Richard Hathaway of Shottery, concludes: "There is no other record of the issuance of the license to William and Anne; there is no bond for a license to an Anne Whateley; and it is hardly probable that at the same time a second William Shakespeare applied to the same clerk for a license to marry a woman with the same name, Anne."

Whether or not the investigator identifies the "Anne hathwey of Stratford in the Dioces of worcester maiden" in the marriage bond with the "Annā whateley de Temple grafton" in the entry for the license will depend on his acceptance or his rejection of the evidence presented by J. W. Gray in his *Shakespeare's Marriage, His Departure from Stratford and Other Incidents in His Life* (1905). Gray urges the conclusion that "whateley" is but a clerk's scribal and orthographic error for "hathwey." Gray's evidence and conclusion in the matter may be summarized as follows:

1. The fact that the entry for the license is as of November 27, whereas the bond (see Document 71, p. 164) is as of the following day, November 28, cannot be, in itself, evidence that the one does not belong with the other; "for, on comparing the two series of documents for the years 1582 and 1583, it is found that out of the 166 bonds executed during that period, 45 are dated after the registry entry, and that the intervals extend from one to ten days" (p. 17). And "if the dates in the parish

registers are to be relied upon, two of these marriages were solemnized before the completion of the bond. Forty-seven bonds are dated before the corresponding entry in the bishop's register."

2. "There are frequent erasures and interlineations, and the following example appears to support the idea that these documents were sometimes written directly from a verbal statement. . . . Without some additional knowledge of the routine of the Worcester Registry in Shakespeare's day, it is impossible to decide the question as to the nature of the document from which the register list of licenses was compiled, though the evidence appears to be in favor of the conclusion that the name 'Whateley' was entered from a temporary memorandum or from the allegation" (the preliminary application which, under oath, stated the name, residence, and occupation of each party; of the parents, of guardians, of friends, and others, as was conventional).

3. The Worcester Register itself shows that many inaccuracies crept into the records: "Hiccox" was substituted for "Hitchcock" (folio 52^b); "Joan Barbar" was later entered as "Joan Baker" (folio 51^a); "Robert Bradeley" was entered as "Robert Darby" (folio 53^b); and "Humfrey Elcock" is entered as "Humfrey Edgock" (folio 54^a).

4. The similarity of the Gothic script forms of the names "hathwey" and "whateley," especially when hastily written and when the initial letters "H" and "W" are written in small letters rather than in capitals, suggests ready and easy confusion as to the names. Mr. Gray (p. 24) cites some notes from Mr. Joseph Hill in his edition of J. Tom Burgess' *Historic Warwickshire* (p. 102): "The word 'Whateley' shows that the original offhand memorandum in some draft or rough book for subsequent entry in the Registry was not made with care; it contains, in fact, three inaccuracies—the date, the name and the parish. The original in Latin would be 'Annam Hathwey,' and when some days subsequently it was entered in the register by a neat copyist, he mistook the 'm' for 'w' and the small and

capital 'h' being precisely alike he would be easily misled, particularly as it was an invariable habit at that period to curtail the terminal of a name, whilst the first stroke of 'w' was formed by many writers like the letter 't'."

5. Various entries in the Diocesan Register at Worcester show that in 1582-83 the clerk had "whateley" before him in making his official entries. Gray asserts (p. 27): "In a record of the proceedings of a court held on November 27th, 1582, the date of Shakespeare's license, the suit of William Whateley, vicar of Crowle, against Arnold Leight for non-payment of tithes, was one of the forty cases dealt with; and it was also before the court on subsequent occasions [Act Book, No. 4]. The name is again found in the same Act Book in a defamation suit: 'Samuel Nyfether, gentleman, against William Whateley of Henley, March 21st, 1582-3.' Though in the Shakespeare marriage bond only does the name Hathaway occur in the Diocesan Register of Worcester, the name was a very common one in the diocese. 'It is difficult,' declares Gray (pp. 27-28), 'to determine from the appearance of the writing at what intervals the entries in the bishop's register were made; but, whether daily or otherwise, the name Whateley was before the scribes both on the day of the issue of Shakespeare's marriage license and for several months afterwards. It therefore appears probable that the occurrence of this name in the bishop's register is due to an error, the origin of which may be traced to indistinct writing in one of the original documents, probably the allegation, together with the scribe's remembrance of a name frequently under his notice and having some similarity to that for which it was substituted.'"

Outside the license entry, there is no evidence of any connection of William Shakespeare with any "Whateley."

Any investigator of handwritten Gothic script records of diocesan registers is familiar with the lack of scrupulous care as to details in many of them, the frequent lack of minute concord and agreement in two or more entries having to do with the same item, and the

strangely abbreviated spellings in the final and official entries, bonds, and like records. If the final forms were so carelessly abbreviated, the preliminary memoranda of them must have been even more abbreviated and more strangely spelled. The legal phrasing whether in Latin or in the vernacular was rather conventional and easily repeated, though not always consistently spelled, and hence less liable to subsequent trouble-giving errors; but proper names are the chief victims of conventional and individual practices of sixteenth-century official scribes. These considerations do not actually prove that "whateley" was a scribal error for "hathway," but they do go far to support the conservative conclusion of J. W. Gray. In the light of the actual evidence in the Diocesan Register of Worcester and in the light of scribal practice of clerks in the sixteenth century, "whateley" certainly is not an impossible error and substitution for "hathway." On the contrary, it is very highly probable.

Furthermore, the will of Thomas Whittington, 1601, mentions Anne, the wife of William Shakespeare. This is an indication that Shakespeare's wife was a Hathaway, because Whittington had been in the employ of Richard Hathaway (see C, below, p. 169).

B. In Bishop Whitgift's Register of the Diocese of Worcester is the bond of surety² in favor of Bishop Whitgift for the marriage of William Shakespeare and Anne Hathaway, here given as Document 71.

This conventional bond, on membrane, 16½ by 3½ inches, is the choice possession of the Registry of the Diocese of Worcester. Some 254 years after the bond was executed, in 1836, this legal

instrument was discovered in a bundle of old wills, inventories, and bonds, by Sir Thomas Phillipps, who was calendaring these materials at the Worcester Diocesan Registry. Though Malone had searched the Registers at Worcester, this bond had escaped his attention. At the time these documents were found, the double thong of white leather upon which these materials were originally filed, as was the practice in the sixteenth century, was still unbroken. This fact suggests that there can be little doubt of the genuineness of the bond. In 1841 the document, for the convenience of the many who desired to inspect it, was taken from its original file. In 1885 the bond was enclosed between glass and framed. In so doing the membrane unfortunately was cemented to the glass, a procedure which resulted in an increase of an inch in its length and a slight narrowing of its width. Exposure to the light has faded the script so that at present some words are scarcely decipherable. In June 1882 a photograph of the bond was made by J. W. Gray, for a facsimile reproduced on page 9 of his *Shakespeare's Marriage*. The facsimile reproduced here is from a photograph especially permitted (1932) by the present Registrar and by His Grace the Bishop of Worcester. By careful and prolonged exposure, the script, which is now quite dim and in some places almost undecipherable, has been developed so that it may be read rather easily with the naked eye.

In general appearance and make-up this bond resembles thousands of other Elizabethan bonds. It is written with a quill pen in the ordinary Gothic script of the day. It is virtually free from punctuation. Such few punctuation marks as do appear have been inserted in the transcript here given; but analysis of the script suggests that the few ink dots are not intended as periods but are only accidental touches of the pen, and that the one lone comma after the word "partie" in the second part of the bond is a much later insert made with a steel pen. No other punctuation marks appear in the manuscript. The bond part itself, placed at the head of the legal in-

²The first printing of the bond is in Severn's edition of the *Diary of the Rev. John W[ar]d*, Vicar of Stratford-upon-Avon, extending from 1648 to 1679, 1839, pp. 74-77. J. O. Halliwell-Phillipps' *Life of William Shakespeare* (1848) and his *Outline* (1882) reprinted it with critical discussion. Other reprints are: Hunter, *New Illustrations of Shakespeare* (1845), I, 42; English part of bond only; J. W. Walter, *Shakespeare's True Life* (1890), p. 164; David Henry Lambert, *Carfax Shakespeareanae, Shakespeare Documents* (1904); J. W. Gray, *Shakespeare's Marriage* (1905), pp. 203-4, facsimile, p. 9; Tucker Brooke, *Shakespeare of Stratford* (1926); and E. K. Chambers, *William Shakespeare* (1930), II, 41.

strument, is in the conventional legal Latin of the day; it is abbreviated rather carelessly, and here in transcript is spelled out in full with the necessary added letters in brackets. The conditions to which the bond applies are paraphrased separately, are indented to the right from the margin of the bond itself as subordinate thereto, and are written in the vernacular English. This part of the bond is not written in abbreviated words. It will be noted, too, that the "queue" type of seal tab is employed; that is, at the bottom, right, a strip a half-inch wide has been sliced back about five and one-half inches and on this strip of membrane the two seals were originally fixed. These seals, Gray (p. 34) has shown, bore the initials "R. K.," a seal long in use in the Registry and not the supposed "R. H." of Richard Hathaway, the father of Anne. Whether or not the seals were intact when Sir Thomas Phillipps found the bond no note remains to say. By 1860 they had so far crumbled away that the impressions were undecipherable. The photograph of 1882 (utilized by Gray in 1905) shows no remnant of the seals.

The bond was not attested by witnesses. Indeed, it was the exception rather than the rule for bonds to be attested in the Worcester Register. At the bottom, left center, are two "marks" (?)—one apparently a cross, and the other apparently a large Gothic script capital "S." It may be that the cross is the mark for John Richardson and the capital "S" that for Fulke Sandells. Close inspection shows that the bond had been folded once, in the middle and perpendicularly; that is, the left edge was folded over on to the right edge and the document then pressed together. The perpendicular crease is almost in the exact center of the vellum. Three or four minor abrasions of the vellum at the left and bottom do not impair the script.

A marriage bond was virtually a commonplace in its day. In its general form and in its content this one varies little from thousands of others of the time. Bonds, it should be remembered, were employed as conventional sureties in

hundreds of kinds of transactions: for the administering of estates (John Shakespeare for the proper administering of the estate of his own father, Richard Shakespeare); for the guaranteeing of the transfer of the benefits accruing from a lease (Ralph Huband to William Shakespeare when in 1605 Shakespeare purchased the Stratford Tithes); for imposing a penalty if one did not accept the results of a settlement

in the instance of issuing a marriage license, "to save him harmless" before the civil and ecclesiastical law if subsequent developments revealed the parties (one or both) to be actually ineligible to marry; and for borrowing money (John Combe's Will, 1614, reads: "Item I give unto William Waite forty shillings which he oweth me by bond if he be living at my decease and the same bond to be cancelled"). In December 1587

[DOCUMENT 71]

[MARRIAGE BOND OF WILLIAM SHAKESPEARE
AND ANNE HATHAWAY, 1582]

N[ov]erint vniu[er]si p[er] p[raese]ntes nos ffulcone[m] Sandells de Stratford in comit[atu] warwic[i] agricolam et Joh[ann]em Rychardson ib[ide]m agricola[m] teneri et firmiter obligari Ric[ard]o Cosin g[e]n[er]oso et Rob[er]to warmstry notario pu[bli]co in quadraginta libris bone & legalis monete Angli[a]e Soluend[is] eisdem Ric[ard]o et Rob[er]to heredit[ibus] execut[oribus] vel assignat[is] suis ad quam quidem soluc[i]onem bene & fidel[ite]r faciend[am] obligam[us] nos & vtru[m]q[ue] n[ost]r[u]m p[er] se pro toto & in solid[um] heredit[es] executor[es] & admi[ni]strator[es] n[ost]ros firmiter p[er] p[rese]ntes Sigillis n[ost]r[i]s sigillat[as] dat[um] 28 die nov[emb]r[is] Anno Regni d[omi]n[i]c[e] n[ost]r[e] Eliz[abethe] Dei gratia Angli[a]e ffranc[iae] & hib[er]ni[a]e Regine fidei defensoris &c 25^o

The condic[i]on of this obligac[i]on ys suche that if hereafter there shall not appere any Lawfull Lett or impediment by reason of any p[re]contract consang[ui]nitie affine or by any other lawfull meanes whatsoever but that will[ia]m Shagspere one thone p[ar]tie, and Anne hathwey of Stratford in the Dioces of worcester maiden may lawfully solennize m[at]ri[m]ony together and in the same afterward[es] remaine and continew like man and wiffe according vnto the lawes in that behalf provided and moreou[er] if there be not at this p[re]sent time any action sute quarrell or demaund moved or

of a dispute of arbitration previously agreed upon (Dr. Thomas Martyn to John Allen in London in 1589; see Collier's *Memoirs of Edward Alleyn*, 1841, pp. 7-8); for the legal assurance of the legal transfer of property, actually a form of deed (legal handbooks of the day always list several examples); for assuring the performance of a stated and accepted obligation or service; for the protection of the bishop and his officers

William Gardiner lent Sir Walter Raleigh £600 on a £1,000 bond as security—and providing a penalty if not paid at the expiration of the bond. Shylock's bond in *The Merchant of Venice* was legally correct in every way; and Shylock was quite within his legal rights in exacting the legal penalty agreed to by Antonio when he executed the bond. Most of sixteenth-century money lending was done through a bond.

That a marriage bond might figure in a marriage ceremony in 1582 is evidenced by the very definite passage concerning it in *The Booke of the Common Prayer* issued in 1549 and reissued in 1552. In the section on "Matrimony" (see the excellent modern reprint on page 253 of the Everyman Library 1938 edition of *The First and Second Prayer Books of Edward VI*) the appended rubric to the priest's query whether or

shall bee disclosed) that if either of you doe knowe any impedimente, why ye maie not bee lawfully ioyned together in matrimonie, that ye confesse it. For be ye well assured, that so manye as bee coupled together otherwaies then Goddes woord doeth allowe are not ioyned of God, neither is their matrimonie lawfull.

[Rubric]:

"At which daye of mariage yf any man doe allege any impediment why they maye

depending befor any judge eccl[es]iasticall or temporall for and concerning any suche lawfull lett or impediment. And moreou[er] if the said will[ia]m Shagspere do not p[ro]ceed to solennizac[i]on of mariadg with the said Anne hathwey without the consent of hir frind[es]. And also if the said will[ia]m do vpon his owne p[ro]per coste and expense defend & saue harmles the right Reverend father in god lord John bushop of worcester and his offycers for Licencing them the said will[ia]m and Anne to be married together with once asking of the bannes of m[at]ri[m]ony betwene them and for all other causes wch may ensue by reason or occasion therof that then the said obligac[i]on to be voyd and of none effect or els to stand & abide in full force and vertue

+ S

[English translation of the Latin]:

Let all men know by these presents that we Fulke Sandells of Stratford in the County of Warwick, husbandman, and John Richardson there husbandman, are held and firmly bound by Richard Cosin gentleman and Robert Warmstry public notary to pay forty pounds of good and lawful money of England to the same Richard and Robert, their heirs, executors, or assigns: to make which payment well and faithfully we bind ourselves and each of us severally for the whole and total amount, our heirs, executors, and administrators firmly by these presentes sealed with our seals. Given this 28th day of November in the 25th year of the reign of our Lady Elizabeth, by the grace of God Queen of England, France, and Ireland, Defender of the Faith. &c

not "either of you doe knowe any impedimente" (to their being joined in holy wedlock) makes specific provision for a bond if anyone has knowledge of and states such impediment. The entire passage reads as follows:

"And also speakyng to the persones that shalbe married, he shall saie.

"I REQUIRE and charge you (as you will aunswere at the dreadefull daye of iudgemente, when the secretes of all hartes

not be coupled together in matrimonie; And will be bound, and sureties with hym, to the parties, or els put in a caution [security, bail, guarantee, pledge] to the full value of suche charges as the persones to be married dooe susteyne to proue his allegation: then the Solemnizac[i]on muste be differred, unto suche tyme as the trueth bee tried. Yf no impedimente bee alleged, then shall the Curate saye unto the man."

Most marriage bonds in particular

were but a formula. The carelessness with which they were executed shows that they were no longer a serious legal appurtenance to a license to marry. Shakespeare's own was not witnessed, and very few of those in the Register of the Diocese of Worcester were attested. Shakespeare's marriage bond, accordingly, must not be taken as evidence *per se* of some strange and clandestine irregularity, legal or moral, in his marriage. The simple fact is that Bishop Whitgift's severity in discipline in the Diocese of Worcester in matters ecclesiastical, and likewise Canon Law, usually required a bond with a license to marry.

From a study of the detailed provisions of this bond and of the legal customs of the day, it is obvious, first, that the Latin bond is identical in form and phrasing with virtually every other bond of the period, and, second, it conforms to the legal customs of the day. It provides: (1) Fulke Sandells and John Richardson, each a husbandman of Stratford, are obligated and firmly bound. (2) The officials are Richard Cosin (Bishop's Chancellor of the Ecclesiastical Court of Worcester), gentleman, and Robert Warmstry (clerk of the Ecclesiastical Court of Worcester), notary public. (3) It binds Sandells and Richardson to pay £40 (about \$1,600) of lawful English money to Richard and Robert, to their heirs, executors, or assigns. (4) Sandells^{*} and Richardson^{*} bind themselves individually and collec-

^{*} Fulke Sandells, a neighbor of Richard Hathaway, was one of the supervisors of Richard Hathaway's will, dated September 1, 1581, and proved July 9, 1582. He was the father of five children born between 1583 and 1592 and godfather to the child of John Richardson and Mary Sandells (sister of Fulke), who was christened "Fulke" on November 27, 1586. On November 4, 1594, he made an inventory of John Richardson's goods. An "agricola" or yeoman, he was apparently a well-to-do husbandman of the community. Richard Hathaway's will identifies him as his trusty friend and neighbor.

^{*} John Richardson, some ten years older than Sandells, was also a witness to Richard Hathaway's will, September 1, 1581. His second wife was Mary Sandells, a sister of Fulke Sandells. John and Mary stood sponsors for Fulke's later children—Mary on March 23, 1583, and John on March 17, 1585. The inventory of his goods (see French, *Shakespeareana Genealogica*, p. 373) shows him to have been a substantial yeoman, for he had 4 houses, 130 sheep, grain and hay valued at £40, totaling £87, a rather large sum for a husbandman in that day. He died in 1594, thirty years before Sandells.

tively for the whole sum and their heirs, executors, and assigns for the whole sum. (5) The bond is dated November 28, 1582, the 25th year of the reign of Elizabeth. Most of the phrasing will be found duplicated in bonds of today.

The conditions to which the Latin bond applied, here written in English, conform to the legal custom of the day. The material of this part of the document is not so well arranged and not so logically expressed as that of the Latin bond itself. In rearranged order the provisions and obligations are: William Shakespeare and Anne Hathaway, "maiden," of Stratford in the diocese of Worcester may lawfully solemnize matrimony and afterward remain as man and wife; if (1) there shall not appear any lawful let or impediment such as any pre-contract, any consanguinity, any affinity, or any other lawful barrier whatsoever; if (2) there be not at the time any action, suit, quarrel, or demand moved or pending before any ecclesiastical or civil judge concerning any such lawful let or impediment; if (3) William Shakespeare will not proceed to solemnization of marriage with Anne Hathaway without the consent of her friends; if (4) William Shakespeare, at his own cost and expense, will defend and save harmless (render free from any guilt and responsibility) the Bishop of Worcester (here "lord John" Whitgift) and his officers for licensing William and Anne to marry with but "once asking of the bannes of matrimony" between them. If these provisions are not observed the bond is to be void and of none effect, but otherwise the bond is to be in full force. This bond, it will be noted, has to do with the issuing of the license to marry. The license itself, a handwritten document which William carried to the priest who performed the ceremony, has never been found.

That there was nothing unusual or uncommon in the conditions and obligations in this bond may readily be seen by comparing its Latin part with the corresponding part of virtually any other bond of the day and by noting the special requirements of well-known Canon Law of the period. The section

having to do with the prohibition of marriage within certain degrees of blood-relationship (Germanic custom as well as the Mosaic law held against such marriage) is but the well-known prescription of the day. Canon Law 101 definitely required a bond with every license. Canon Law 102 (from the 1604 *Constitutions and Canons Ecclesiasticall*, which was based directly upon Roman Canon Law) mentions the requirement of a bond and (a) identifies impediments as "pre-contract, consanguinity, affinity, or other lawful cause," (b) states that there shall be "not any controversy or suit depending in any court," and (c) requires "express consent of their parents (if they be living), or otherwise of their guardians or governors." From the entire Canon, here given, one may detect much of the actual conventional phrasing of the bond itself: "102. The security mentioned shall contain these considerations: First, that at the time of granting every such license there is not any impediment of pre-contract, consanguinity, affinity, or other lawful cause to hinder the said marriage. Secondly, that there is not any controversy or suit depending in any court before any ecclesiastical judge, touching any contract or marriage of either of the said parties with any other. Thirdly, that they have obtained thereunto the express consent of their parents (if they be living), or otherwise of their guardians or governors. Lastly, that they shall celebrate the said matrimony publicly in the parish church or chapel where one of them dwelleth, and in no other place, and that between the hours of eight and twelve in the forenoon."

Canon Law 99 directs attention to the prohibited degrees of relationship for marriage, as provided by the Mosaic Law: "No persons shall marrie within the degrees prohibited by the Lawes of God [Leviticus, chaps. 18, 20, 21] and expressed in a Table set forth by authority in the yeere of our Lord God 1563 [1563, Council of Trent], and all marriages made & contracted shall be adjudged incestuous and vnlawfull, and consequently shall be dissolved as voyd from the beginning, and the parties

so married shall by course of Law be separated. And the aforesaid Table shall be in euery Church publikely set vp and fixed at the charge of the Parish."

The Common Laws of King Ethelred (†1016) and of King Canute (reigned 1017-1035) are at one in support of these prohibited degrees. Thorpe's *Ancient Laws and Institutes* (p. 135) cites the Law of Ethelred: "12. And let it never be, that a Christian man marry within the relationship of VI. persons, in his own kin, that is within the fourth degree; nor with the relict of him who was so near in worldly relationship; nor with the wife's relation, whom he before had. Nor with any hallowed nun, nor with his godmother, nor with one divorced, let any Christian man ever marry; nor have more wives than one, but be with that one, as long as she may live; whoever will rightly observe God's law, and secure his soul from the burning of hell." Canon Law 101 required the thrice asking of the banns, as did likewise *The Booke of the Common Prayer* of 1549, Edward VI. There is no phrasing in Shakespeare's marriage bond that is not in the common law or in the canonical law of the day; certainly its content is in no wise peculiar.

A number of moot points relative to the marriage bond are in need of clarification:

1. In the matter of "consent," young William Shakespeare was required by Canon Law to have the "expressed" consent of his father—this he obviously secured, else no license would have been issued. Very few of such consents have ever been found: this one has never come to light. By Canon Law, eighteen-year-old William was not of legal age, was a legal minor; but he was of marriageable age, that is, of "ripeness to beget children." This age was fourteen for males and twelve for females. Anne Hathaway was twenty-six, of both legal and marriageable age; both her parents were dead; hence she, as was customary in such cases, was required to secure the consent of "hir frindes." Obviously, she had no guardian.

At nineteen Shakespeare was not too young to be married. Sir John Arden

(married 1473; died June 4, 1526) was married when he was not above eighteen. This was effected by his father for the sake of the lad's fortune, a practice not uncommon in that period. Hamrick (*Marriage Law of England*, p. 50) correctly says: "By the ancient common law of England, if the parties had attained what was termed the age of consent, namely 14 for the male and 12 for the female, they might legally contract marriage without the consent of parents or guardians."

2. The fact that no attestations are on the bond is no evidence of haste, secrecy, or irregularity of any sort: such a marriage bond had become a formality, and more often than not no attestations actually were made or at least none were definitely subscribed and hence recorded. Quantities of Worcester Diocese bonds are not attested or witnessed. Gray correctly records that in the Registers of the province of Canterbury no attestations are earlier than 1597; and that the earliest at Worcester is not earlier than 1601.

3. The comments that John Shakespeare was not a bondsman because he was not pleased with the marriage, or he was bankrupt, or he was recusant and wished to conceal his real value so as not to have his holdings confiscated by the Church—these are figments of biased imagination. There was nothing unusual in John Shakespeare's not being a bondsman. Gray (p. 57) points out that in 1582 and 1583 only 24 bonds out of 166 (one in seven) have the same name for the bondsman as for the groom. This suggests that fathers were not in favor as bondsmen. A more pertinent question would be why some of John Shakespeare's friends—Quineys, Sadlers, Greeces, Reynolds—were not on the bond.

4. The "once" instead of "thrice" declaring of the banns allowed in the bond does not in itself indicate haste or secrecy or compulsion. Many other marriage bonds permit the "once" asking of the banns. If William Shakespeare and Anne Hathaway had been married before by pre-contract or "handfast" marriage—his cohabiting with her indicates

this—then the "thrice declaring of the banns" would be rather superfluous.

5. This marriage bond was required of William Shakespeare for the reason that such a legal guaranty was exacted of virtually everyone who secured a license. Canon Law 101 required it, and Bishop Whitgift (Strype, *Life and Acts of Whitgift*, I, 232) required it: "It is thought expedient that no dispensation be granted for marriage without sufficient and large bonds." Bonds varied from £40 to £100—rather considerable sums in 1582. Actually few common people could guarantee such sums in that period. According to the Worcester Register, marriage by license and bond reached its height in 1583, the year after Shakespeare's own marriage and the year in which Bishop Whitgift was transferred to the Archbishopric of Canterbury.

6. The fact that Anne Hathaway, in the bond, is identified as "maiden" is evidence that she was then single, had never been married, and was not a widow. If the facts prove anything at all, it is that Shakespeare's marriage and the marriage bond were in keeping with the customs and practices of the late sixteenth century.

The fact that William Shakespeare was married via a fairly expensive license-bond-Church wedding suggests something favorable as to his social position. The poorer folk of the day resorted to the inexpensive pre-contract marriage, for which no license and no priest's fee were required. Canon Law 101 (1604) ordered that a license to marry should be granted "unto such persons only as be of good state and quality and that upon good caution or security taken." Shakespeare's marriage bond identifies him only as the one "partie" and Anne as "maiden." Only 50 out of 166 bonds in 1582-83 do not describe the occupation of the groom, etc. Strype's *Life and Acts of Whitgift* (1718, II, 380) cites "that no person be licensed to marry, the Banns not thrice asked; unless he have in goods and Lands to the value of £10 [about \$400; it was a Hundred Marks, but blotted out, and £10 put in its place] in

the Queen's Books," as a part of a paper drawn up about 1597, for "the regulation of licences for marriage and of fees."

Contracting a formal Church wedding after an irregular pre-contract or "handfast" marriage was not uncommon. Bishop Watson, in his *Doctryne Concerninge the Seuen Sacraments* (1558), said, "the marriage of them in the face of the Church [i.e., in front of the Church door where marriages were solemnized and dower arranged] afterward, by the ministration of the priest, is not superfluous, but much expedient for sundry causes."

Not only Canon Law (No. 112) but also Civil Law declared forbidden seasons for marriage and for other activities. The Law of King Ethelred (†1016) reads: "25. And ordeals, and oaths, and marriages, are always forbidden on high festival days and on the regular ember-days; and from Adventum Domini till the octaves of the Epiphany; and from Septuagesima till xv. days after Easter. And at those holy tides, let there be, as it is right, to all Christian men, general peace and concord, and let every strife be appeased: and if any one owe another 'borh' or 'bōt' on account of secular matters, let him willingly fulfil it to him, before or after" (Thorpe's *Ancient Laws and Institutes of England*, p. 137). It is highly doubtful that a coming prohibited season prompted Shakespeare's sudden decision to secure a formal marriage license before that season became effective. Formal marriage after the prohibited seasons, a few weeks later, would have served just as well, for no moral question was involved. The question was a legal one of legitimizing the offspring and of assuring dower rights. If the formal marriage had taken place even after the birth of Susanna, the legal phase would have been settled as effectively (see Bracton's *De Legibus et Consuetudinibus Anglie*, cited later, p. 175, in this discussion).

Fees for a common license, according to the nature of the dispensation, varied from 3s. 8d. (about \$6) to 10s. 4d. (about \$20)—indeed the modern equiv-

alents are higher than these for the year 1582. Special licenses were very much more expensive.

C. A third document connected with the marriage of Anne Hathaway and William Shakespeare is the will of Thomas Whittington, dated March 25, 1601, and probated April 29, 1601, for it definitely shows the connection between Anne, Shakespeare's wife, and the Hathaway family. The will is printed in full by Sir T. Phillipps from the Worcester Probate Registry in *Archaeologica*, XXXII (1847), 444. Extracts are printed in E. K. Chambers' *William Shakespeare* (II, 42-43), from which the portion here given as Document 72 is taken.

Thomas Whittington had been a prosperous shepherd in the service of Richard Hathaway of Shottery and was, seemingly, the son of John Whittington, who was the customary tenant of the Shottery estate from April 1543 at least to October 1556. To this will is appended a schedule of "desperate debts" (i.e., great, as differing from small, debts) owing by a number of the Hathaway family. The "40s" (about \$80) in the hands of "Anne Shaxspere"—from the phrasing one gets the idea that William Shakespeare actually had paid the amount or that Anne was holding the sum for the Stratford poor in trust for Thomas Whittington—is not included in the appended schedule of debts. Such entrusting of sums to others for safe-keeping was not uncommon in that day. Thomas Whittington's will suggests a more than common amount of faith on the part of the Hathaway shepherd in "Anne Shaxspere, wyf unto Mr Wyllyam Shaxspere." It suggests, too, that Whittington's long relation to the Hathaway family and his several monetary relations and obligations with them prompted his faith in "Anne Shaxspere," because this woman was actually a Hathaway also—the daughter of Richard Hathaway who died about 1582. It must be admitted that the actual facts are not sufficient to declare the truth of this.

The actual place and time of Shakespeare's marriage have never been determined, though many registers have

been examined and a goodly number of others have been ascertained to be lost. Of the four possible official documents—the license entry in the Diocesan Register, the bond, the actual license itself, and the entry of the marriage in some Parish Register of the parish in which the ceremony was performed—only the entry in the Diocesan Registry and the bond have come to light. The original allegation, giving place of birth, age, occupation, and other biographical-social

1582. At Luddington, near Shottery on the north bank of the Avon three miles below Stratford, there was a Stratford chapelry in 1582; its Register, destroyed when fire burned the church before 1782, contained no entry earlier than 1617. Halliwell-Phillipps (*Outlines*, II, 364, note 299) suggested Luddington. Stephen Watson Fullom's *History of William Shakespeare* (1862, p. 202) recounts the tradition, though neither Jordan nor R. H. Wheler had men-

[DOCUMENT 72]

[EXTRACTS FROM THE WILL OF THOMAS WHITTINGTON MENTIONING ANNE SHAKESPEARE, 1601]

Item I geve and bequeth unto the poore people of Stratford 40^s. that is in the hand of Anne Shaxspere, wyf unto Mr Wyllyam Shaxspere, and is due debt unto me, beyng payd to myne Executor by the sayd Wyllyam Shaxspere or his assigns, accordyng to the true meanyng of this my wyll Item I geve to Thomas, sonne to Edward Cottrell, my godson, 12^d Item I geve and bequeth unto John Pace, of Shottre, the elder, with whom I sojorne, 20^s Item, I geve to Thomas Hathaway, sonne to the late decessed Margret Hathway, late of Old Stratford, 12^d.

details, also John Shakespeare's consent, were not carefully recorded and were probably soon lost. Diocesan Registers of the period have very few of these allegations and consents.

Several different parishes have been cited as the place of Shakespeare's marriage. Of these, Billesley is near Mary Arden's old homestead at Wilmcote, some four miles northwest of Stratford on the Alcester road. No record remains at Billesley. The Register for Hampton-Lucy begins in 1556 but contains no entry for Shakespeare's marriage. As to Weston-on-Arden, in Gloucestershire, the entries of its Parish Register do not begin before 1685. For Shottery, though Walter (*Shakespeare's True Life*, p. 155) says that there was a Catholic chantry at Shottery, and Dugdale says a chapel was there, no Register for it exists. For Bishopton, no Register remains. For Stratford the Register begins in 1558 but contains no entry for the marriage of William Shakespeare in

tioned it, that the marriage took place at Luddington: an old lady "not only declared that she was told in her childhood that the marriage was solemnized at Luddington, but had seen the ancient tome in which it was registered." The late Mr. Edgar Flower of Stratford reported to Gray (*Shakespeare's Marriage*, p. 236) that this tradition was generally accepted in the neighborhood in the early nineteenth century. Chambers (*William Shakespeare*, II, 47) reiterates the tradition.

In Worcester, the city where the marriage license was secured and the bond filed, the old church of St. Martin's, rebuilt in 1772, was some distance from the Worcester Diocesan Registry. The two folios which cover the entries for 1582 have been cut out from its Register, apparently in recent times. Of St. Michael's Church, hard by the Diocesan Registry, no records of that period are extant.

And, finally, as to Temple Grafton.

The Hathaways may have farmed in this community, five miles west of Stratford and nearly three miles from Alcester. Although there is no evidence that Anne went there to live with relatives after the death of her father in 1582 and also no evidence that her mother was from this parish, Chambers (*William Shakespeare*, II, 46) and Fripp (*Shakespeare's Haunts*) think the marriage may have taken place there. True, "Temple Grafton" is mentioned in the license entry, but this may have been an error or it may actually have been copied (in error?) from the sworn-to allegation. Gray (p. 37) asserts: "A search in the registers of the specified parishes [as given in the license entries] for the years 1582 and 1583 resulted in the discovery of only sixty-two per cent of the marriages." Beyond this one connection of Temple Grafton with the family, there is no further known link between it and the Shakespeares.

The present editor has rechecked many of the original materials examined by Halliwell-Phillipps, Gray, French, and others, and confirms French's conclusion (*Shakespeareana Genealogica*, p. 373) that the records available at present reveal nothing. Until the Parish Register in question is unearthed from some now unknown repository—if it ever is brought to light—it cannot be known where or when or by whom William Shakespeare and Anne Hathaway were married.

That they were properly married (why go to the expense of securing a relatively costly license and of providing the attendant bond, if a definite Church marriage were not intended?) admits of no reasonable doubt. Indeed, it was legally necessary that William and Anne contract a formal Church marriage, if the ambitions of the Shakespeare family were to be realized.

When Sir Edmund K. Chambers (*William Shakespeare*, I, 17) asserts that "the documents concerning the marriage involve a puzzle," he does not con-

tribute much to their clarification. The fact is that, in the light of English Common Law and of Roman Canon Law in the sixteenth century, actually there is no puzzle. The problem is neither highly involved nor difficult of rational and satisfactory solution. To that end the precepts and practices concerning matrimony and marriage in English Common Law and in Roman Canon Law must be critically examined.

English Common Law marriage had its origins in betrothal and marriage practices among the Germanic tribes long before they migrated, A.D. 449, to England from their ancestral home on the continent. Tacitus, *Germania*⁶

⁶The Latin passage from Tacitus' *Germania* (ed. by Schweizer-Sidler, Berlin, 1867, chap. xviii, pp. 36-39) reads: "quamquam severa illic matrimonia, nec ullam morum partem magis laudaveris, nam prope soli barbarorum singulis uxoriis contenti sunt, exceptis admodum paucis, qui non libidine sed ob nobilitatem plurimis nuptiis ambiuntur. dotem non uxor marito, sed uxori maritus offert. intersunt parentes ac propinqui, ac munera probant, non ad delicias muliebres quæsitæ, nec quibus nova nupta comatur, sed boves et frenatum equum et scutum cum framea gladioque. in hæc munera uxor accipitur, atque in vicem ipsa armorum aliquid viro offert. hoc maximum vinculum, hæc æreana sacra, hos coniugales deos arbitrantur. ne se mulier extra virtutum cogitationes extraque bellorum casus putet, ipsis incipientis matrimonii auspiciis admonetur venire se laborem periculorumque sociam, idem in pace, idem in prælio passuram ausuramque. hoc iuncti boves, hoc paratus equus, hoc data arma denuntiant. sic vivendum, sic percundum: accipere se quæ liberis inviolata ac digna reddat, quæ nurus accipiant rursumque ad nepotes referantur."

The English translation (John Aiken, London, 1787, pp. 53-54), reads: "The matrimonial bond is, nevertheless, strict and severe among them; nor are their manners in any respect more deserving of praise. Almost singly among the barbarians, they content themselves with one wife; a very few of them excepted, who, not through incontinence, but because their alliance is solicited on account of their rank, practise polygamy. The wife does not bring a dowry to her husband, but receives one from him. The parents and relations interpose, and pass their approbation on the presents—presents not adapted to please a female taste, or decorate the bride; but a yoke of oxen, a caparisoned steed, a shield, spear and sword. By virtue of these, the wife is espoused; who on her part also makes a present of armour to her husband. This they consider as the firmest bond of union; these, the sacred mysteries, the conjugal deities. That the woman may not think herself excused from exertions of fortitude, or exempt from the casualties of war, she is admonished by the very ceremonial of her marriage, that she comes to her husband as a partner in toils and dangers; and equal both to suffer and to dare, in peace and in war: this is indicated by the yoked oxen, the harnessed steed, the offered arms. Thus she is to live; thus to die. She receives what she is to return inviolate and merited to her children; what her daughters-in-law are to receive, and again transmit to her grandchildren."

(A.D. 150), provides the earliest simplified account of marriage (contractual sale) among the early Germanic tribes. For England proper the earliest complete statement is that known as "The Kentish Law" here given in full. Sometimes called the Law of Edmund, it is reprinted from B. Thorpe's *Ancient Laws and Institutes of England* (pp. 108-9); it appears also in Reinhold Schmid's *Die Gesetze der Angelsachsen* (1858, pp. 391-93); and in Ernest Young's "Anglo-Saxon Family Law" (*Essays in Anglo-Saxon Law*, 1876, pp. 171-72).

OF BETROTHING A WOMAN

1. If a man desire to betroth a maiden or a woman, and it so be agreeable to her [Germanic marriage was definitely a matter of free will between contracting parties] and her friends, then is it right that the bridegroom, according to the law of God [Canon Law], and according to the customs of the world [Anglo-Saxon practices], first promise, and give a "wed" [the gift of the husband to the wife or to her people] to those who are her "forespocas" [sponsors, guarantors, spokesmen], that he desire her in such wise that will keep her, according to God's law, as a husband shall his wife: and let his friends guarantee that. [Germanic marriage actually was a contract which carried mutual obligations.]

2. After that, it is to be known to whom the "foster-lean" [the gift of the wife or of her people to the husband] belongs: let the bridegroom again give a "wed" for this; and let his friends guarantee it.

3. Then, after that, let the bridegroom declare what ["dower" (?) to the wife; it became his again (for her) the moment she married him] he will grant her, in case she choose his will, and what ["dower"] he will grant her, if she live longer than he.

4. If it be so agreed, then it is right that she be entitled to half the property, and to all, if they have children in common, except she again choose a husband. [Twelve months of widowhood were required; and, later, a widow who had property could not marry without the consent of the Lord of the Manor. There was no uniformity of "dower" to a wife in Anglo-Saxon practice: more frequently there was none at all.]

5. Let him confirm all that which he has promised with a "wed"; and let his friends guarantee that.

6. If then they are agreed in every thing,

⁶Gray (p. 227) declared: "Out of the 188 licenses granted at Worcester during the years 1582 and 1583, it was found that in 46 cases, representing 28 parishes [Gray actually searched 26 of them], the marriage registers are not in existence."

then let the kinsmen take it in hand, and betroth their kinswoman to wife [Germanic marriage was thus a family, a tribal, and a communal contract], and to a righteous life, to him who desired her, and let him take possession of the "borh" [gift of the wife to the husband: the "dowry"] who has control of the "wed." [When, at his death or *via* his will, he returned this to her, that, apparently, was her "dower" (?).]

7. But if a man desire to lead her out of the land, into another thane's land, then it will be advisable for her that her friends have an agreement that no wrong shall be done to her [Germanic marriage of a woman was not so much the contractual transfer of her as a property to the husband as it was the transfer to her husband of the right and the obligation to protect her: always, then, in the contractual phase of the transfer, there was the family, tribal, and communal solicitude that no harm would come to the woman—from their enemies, etc.]; and if she commit a fault, that they [her own kinsmen] may be nearest in the "bōt" [compensation]; if she have not whereof she can make "bōt."

8. At the nuptials [giving of the bride to the husband], there will be a mass-priest [this is long before the Council of Trent (1563), which definitely prescribed the presence of a priest and celebration of the rite in the Church] by law; who shall with God's blessing bind their union [the priest is a witness only: the contracting parties, by free will, actually marry themselves] to all posterity. [A canon of Ælfric, No. 9, forbade a priest to be present at a man's marriage to a second wife (Thorpe, *op. cit.*, p. 443).]

9. Well is it also to be looked to, that it be known, that they, through kinship, be not too nearly allied, lest that be afterwards divided, which before was wrongfully joined. [Germanic custom was against marriage between too-close kinsmen—direct blood relation ("consanguinity") nearer than fourth relation, or direct relation by marriage ("affinity") such as a brother marrying a brother's widow, etc. The Levitical (Leviticus 18) degrees, which were embodied in Canon Law to much the same effect, appear to have had a degree of support by the earlier Germanic practice.]

This Kentish Law of the tenth century had been preceded, of course, by

individual laws on betrothal and marriage such as: (1) Laws of Ethelbert (King of Kent, †666), "77. If a man buy a maiden, let it be paid for in cattle, if it be without guile"; and (2) Laws of King Canute (†1035; Thorpe, *Ancient Laws and Institutes*, p. 179), "75. And let no one compel either woman or maiden to him whom she herself mislikes [dislikes], nor for money sell her; unless he is willing to give anything voluntarily." Obviously here are inherently two fundamentals: free-will consent, and a contractual sale. Both of these are, likewise, definitely indicated in Tacitus' *Germania* (see above) as betrothal and marriage practices on the continent before the Anglo-Saxon migration to England (A.D. 449). The whole was a family (blood-kin) affair. Mutual gift giving and dower are inherent in the Germanic process of espousal and marriage. Likewise contractual obligations were an essential in Germanic wills, as is pointed out in chapter xcvi, Volume II.

Ernest Young (*op. cit.*, p. 164) correctly asserts: "In the first place, it is certain that in historic times the thing transferred was not the person of the woman, treated as chattel, but only the rights of guardianship. For these rights a real price was paid by the bridegroom to the guardian, and so far marriage resembled an ordinary sale [a contractual obligation: a transfer of property in return for a price agreed upon]. The strictest formalities of a sale were also, throughout, observed." In a word, English Common Law marriage was the simplified, though sober and serious, procedure of a man and a woman by their own free will and consent exchanging agreement and pledge to live with each other as man and wife in the presence of friends who would be witnesses to the act. Once entered into, there was mutual and reciprocal obligation (a contractual sale) that was binding, lasting, and not to be broken without serious consequences. Neither party to the contract could marry again so long as the other party was alive. In its simplified essentials, a Church ceremony was not requisite. The Marriage

Act of 1836 definitely reaffirmed and made specific the Germanic principle that contract is a legal obligation in marriage.

This free will, consent, and reciprocal agreement to be man and wife was so fundamental that an oft-cited Common Law precept, *Consensus, non concubitus, facit matrimonium*, is even today the essential to matrimony. William Blackstone (*Commentaries*, Book I, chap. 15, p. 433, edition of 1897 by William Draper Lewis) declares: "Our law considers marriage in no other light than as a civil contract." When the Act of 1753 "abolished pre-contracts and marriages *per verba de presenti* ['I do take thee to wife']," Blackstone asserted that the Act was "an innovation upon our ancient laws and constitutions." Hammick (*Marriage Law of England*, p. 4) says: "... it was never essential to the validity of a marriage by the Common Law of England that a priest should be present" and "the contract was complete without the intermission of a priest, although the priest's co-operation was commanded by the Church." And, further: "A mere contract between two competent parties by words expressing present mutual acceptance was a valid contract of marriage; neither party could recede from it; and a subsequent marriage by either with another person during the lifetime of the parties to the first contract was voidable."

The learned Swinburne (*A Treatise*

* Henry Swinburne (b. 1560?; d. 1623), "famous and learned Swinburne" as he was frequently called, was one of the outstanding legal minds of the sixteenth century. During many years he was the Judge of the Prerogative Court at York, where, on a monument erected to him in the Cathedral Church of York, is the merited tribute:

"Non Viduae carere Viris, non Patre Pupillus
Dum stetit hic Patriae, Virque Paterque suae.
Ast, quod Swinburnus Viduarum scripsit in usum
Longius aeterno Marmore vivet opus."

Few men, not even the still more famed Lord Coke, knew the practical phases of English law as Swinburne did. He planned three volumes: (1) "Wills"; (2) "Marriages"; and (3) "Tithes." His volume on Wills was published in 1590 with the title, *A Brieve Treatise of Testaments and Wills*; it is the basis for the discussion, later in this volume, of the legal details of Shakespeare's will. His treatise on "Tithes," if ever completed, has never been found; only some rudimentary notes remain. Scholars who have had to do with Shakespeare's purchase of the Stratford Tithes, 1605, heartily wish that his treatise on "Tithes" were available.

His treatise on "Marriage" (*A Treatise of Spousals*

of *Spousals*, Sec. XIV, p. 107) held that "no Matrimony can consist, neither in Law nor in Conscience, for the Consent must be mutual and reciprocal." He further declared (Sec. XV, p. 203): "Consent is the solely essential thing" and, Church solemnization or no Church solemnization, "Matrimony in truth is contracted by lawful Consent of Man and Woman." Hammick (*Marriage Law of England*, p. 2) maintains that "it [marriage] originates in the inward consent of the parties, and outward agreement by words." Young (*Essays in Anglo-Saxon Law*, p. 168) holds: "The betrothal [pledging each other's word], not the gift of the woman, was the ground of the husband's title. The man and woman were therefore married when they were betrothed." Thus when Robert Arden, on July 17, 1550, settled a part of an estate on his daughter Agnes, he conveyed property to the use of Agnes "nunc uxoris Thome Strynger, ac nuper uxoris Johannis Hewyns"; yet the Beasley Parish Register shows the marriage actually did not take place until three months later: "1550 15 October, was marryed Thomas Strynger unto Agnes Hewens, wydow." This recognition of free-will consent expressed in pledge to marry as tantamount to actual marriage was definitely the intent and spirit of English Common Law originating in the matrimonial practices among the early Germanic folk.

In the light of the essential and fundamental nature of English Common Law marriage, it is obvious that the so-called "handfast" marriage was, to every intent and purpose, actual matrimony. Both from a Biblical point of view and in the light of Germanic institutions, betrothal to marry was tantamount to matrimony. In the Old Testament story of Thobias and Sara, Thobias beds Sara on the night of the contract, and, with

Sara, prays to God. The learned Swinburne (*A Treatise of Spousals*, Sec. IV, §2, p. 13) asserts: "But that woman, and that man, which have contracted Spousals [*Sponsalia* < *L. spondere* == 'to promise'] *de presenti*; as, [I do take thee to my Wife] and [I do take thee to my Husband] cannot by any Agreement dissolve those Spousals, but are reputed for very Husband and Wife in respect of the Substance, and indissoluble Knot of Matrimony; and therefore if either of them should in fact proceed to solemnize Matrimony with any other person, Consummating the same with Carnal Copulation, and Procreation of Children: This Matrimony is to be dissolved as unlawful, the Parties marrying to be punished as Adulterers, and their Issue in danger of Bastards." "And in some places," declares Swinburne (A'), "the woman, after these Spousals, presently [immediately] cohabited with the man, but continued unknown till the marriage-day." Moreover (Swinburne, p. 220), "Spousals [whether *de presenti* or *de futuro*] become Matrimony by carnal Copulation." Says Hammick (*Marriage Law of England*, p. 5): "A contract [in England] made *per verba de presenti* or *per verba de futuro* followed by cohabitation, between persons able to contract, was deemed a valid marriage and equally binding as if made in *facie ecclesiae*: it was indissoluble, and either party might in the spiritual court compel the other to solemnize the marriage ecclesiastically." Swinburne (Sec. XI, p. 74) correctly holds that such a statement as "I take thee to wife," "I hold thee for my wife," "Thou art my wife," "I consent unto thee as my wife," etc., with the corresponding reciprocal statement on the part of the woman, in the presence of witnesses, was "in Truth and Substance very Matrimony indissoluble." Canon Law, also, accepted this free will and consent of a "handfast" contract as the essential of matrimony, though it emphasized the desirability of a Church marriage.

There is convincing evidence that such "handfast" marriages were common in the mid-sixteenth century in England. John Brand's *Observations on*

Popular Antiquities (1841, II, 47) shows that in 1543 such a betrothal or "handfast" marriage was regarded in all essentials as an actual marriage. That pre-contract not only was legally recognized but also invalidated any subsequent union of either of the parties with anyone else may be seen by referring to the *Statutes at Large* of the period. Suits for breach of marriage obligation in the Worcester Consistory Court (Gray, *Shakespeare's Marriage*, Appendix IV, pp. 190-96) show that *matrimoni de presenti* was considered a legal obligation tantamount to actual marriage: "The words 'husband' and 'wife' [applied to the parties in the suit] indicate the nature of the contract to which the parties were binding themselves: it was a contract 'by words of the present time,'—in fact a legal marriage," declared Gray (p. 192).

"Thus, in 1585," reports Halliwell-Phillipps (*Outlines*, I, 64), "William Holder and Alice Shaw, having privately made a contract, came voluntarily before two witnesses, one of whom was a person named Willis and the other a John Maides of Snitterfield, on purpose to acknowledge that they were irrevocably pledged to wedlock. The lady evidently considered herself already as good as married, saying to Holder,—'I do confess that I am your wief and have forsaken all my friends for your sake, and I hope you will use me well'; and therefore she 'gave him her hand.' Then, as Maides observes, 'the said Holder, mutatis mutandis, used the like words unto her in effect, and toke her by the hand, and kissed together in the presence of this deponent and the said Willis.'" These proceedings are afterward referred to in the same depositions as constituting a definite "contract of marriage." Here, in detail, are all the elements of an earlier Germanic marriage: (a) free will on the part of each party to the contract; (b) mutual consent; (c) open statement, "I do confess that I am your wife," that they were

or *Matrimonial Contracts*) long remained, after his death, in manuscript form and was not published until 1686. This monumental work was to have included: (1) Spousals; (2) Marriages; (3) Divorce. "Spousals" only was completely written. It is the only treatise on spousals, in English, in existence up to its publication in 1686. All citations in this volume are from the rare copy of *A Treatise of Spousals* in the Library of Congress, Washington, D.C.

* Too voluminous to quote here. See 32 Henry VIII, 1540, c. 38, sec. 2; 2 and 3 Edward VI, 1548, c. 23, sec. 2; 1 and 2 Mary and Philip, 1554, c. 8, sec. 19; 1 Elizabeth, 1558, c. 1, sec. 11.

man and wife; (*d*) exchange of symbol (the gift of an earlier day; the ring of the modern time) by handclasp ("handfast") and by kiss; (*e*) all this in the presence of witnesses. For such a marriage no license was required, no priest need be present, and no entry for the ceremony need be made in any Parish Register.

That scenes and passages from Shakespeare's own plays reveal definitely that he was aware that there was such a form of marriage needs no long argument. When in *Romeo and Juliet*, in the first balcony scene, Juliet and Romeo have, of their own free will, pledged their troths in love, it is clear that Juliet considers their plighted troth a contract (Act II, sc. ii, l. 116). (The word "contract" in such cases in Elizabethan times meant marriage.) Romeo declares: "The exchange of thy love's faithful vow for mine" (l. 127). In the *Comedy of Errors* (Act III, sc. ii, ll. 65-70), Antipholus of Syracuse says to Luciana, his new-found love:

Call thyself sister, sweet, for
I am thee.
Thee will I love and with
thee lead my life;
Thou hast no husband yet
nor I no wife.
Give me thy hand.

Luc. O soft, sir, hold you still:
I'll fetch my sister to get her
good will.

Certainly here is Antipholus' pledging of his troth and certainly here is "handfast" marriage—"Give me thy hand."

In *Measure for Measure* (Act I, sc. ii, ll. 149-60) Claudio, to those who chide him about his conduct with Julietta, frankly asserts:

Thus stands it with me: upon
a true contract
I got possession of Julietta's bed.
You know the lady; she is fast
my wife,
Save that we do the outward
denunciation lack
Of outward order. This we came
not to
Only for propagation of a dower
Remaining in the coffer of her
friends,

From whom we thought it meet
to hide our love
Till time had made them for us.
But it chances
The stealth of our most mutual
entertainment
With character too gross is writ
upon Juliet.

Lucio. With child, perhaps?

Claudio. Unhappily, even so.

Modern morals aside, this passage is clear: (1) the two lovers had plighted their troths; (2) theirs was a contract; (3) that contract carried with it marital privileges and they had cohabited; (4) they had not been through the form of a Church marriage; (5) they had kept and would keep their marriage secret until such time as their friends would be willing to relinquish Julietta's dower; (6) Julietta was great ["gross"] with child—"unhappily"; that is, their marriage was irregular, but not invalid and not illegal.

Says Swinburne (Sec. XI, p. 87): ". . . albeit there be no Witnesses of the Contract, yet the Parties having verily, (though secretly) Contracted Matrimony, they are very Man and Wife before God." Even if the contracting parties had agreed to marry at some future date, cohabitation would automatically make them man and wife. Swinburne also says (Sec. XII, p. 121): "When the Parties after they have contracted Conditional [wedding set for some future date] Spousals *de presenti* or *de futuro*, do before the event of the Condition know each other Carnally, for by this Corporal Copulation they are deemed to have renounced the Condition," for "Spousals become matrimony by Carnal Copulation" (*ibid.*, Sec. XVI, p. 220) and "Spousals *de futuro* [I shall take thee to wife] do become Matrimony by carnal knowledge, betwixt the parties betrothed" (*ibid.*, Sec. XVII, p. 222).

Again in *Measure for Measure* (Act IV, sc. i, ll. 71-75), the Duke declares:

Nor, gentle daughter, fear you not
at all.
He is your husband on a pre-con-
tract:

To bring you thus together, 'tis
no sin,
Sith that the justice of your title
to him
Doth flourish [color] the deceit.

That such contracts by "handfast" were familiar to William Shakespeare is again obvious from the "contract" scene in *The Winter's Tale* (Act IV, sc. iv, ll. 370-410), too long to be quoted in full. After Florizel and Perdita, before witnesses, mutually declared their loves, Florizel cries

But, come on,
Contract [marry] us 'fore these
witnesses.
Sheph. Come, your hand;
And, daughter, yours.

In deference to William Shakespeare, it should be cited that he does not necessarily approve such irregular marriages; he merely shows his awareness of them. That he knew the approved and regular form of marriage and that he cited the subsequent results of cohabiting before such a formal rite, is evidenced from the all-too-often smugly quoted:

If thou dost break her virgin-knot
before
All sanctimonious ceremonies may
With full and holy rite be minis-
tered,
No sweet aspersion shall the Heav-
ens let fall
To make this contract grow.

—*The Tempest*, Act IV, sc. i, ll. 15-19

The sweetness of restraint in such matters was never more beautifully idealized nor more beautifully expressed than when, in *Cymbeline* (Act II, sc. v, ll. 9-13), the irritably passionate Posthumus speaks of the holy restraint of Imogen:

Me of my lawful pleasure she re-
strain'd
And pray'd me oft forbearance;
did it with
A pudency so rosy the sweet view
on't
Might well have warm'd old Sat-
urn; that I thought her
As chaste as unsunn'd snow.

But why contract a second marriage in Church? A specific knowledge of

Roman Canon Law will clarify the matter.

Roman Canon Law had not by 1582 been codified as a whole into a single volume. William Lyndwood's *Provincial seu Constitutiones Anglie* of 1525 (actually first printed in 1470-80 at Oxford) was a five-book digest of the synodal constitutions of Canterbury from Stephen Langton to Henry Chichele. Moreover, the Council of Trent's acts (1563) did not apply to every Canon Law, nor to every province under the jurisdiction of the Church. Hence, a complete statement of Roman Canon Law on matrimony and marriage is difficult to construct. Canons of one sort or another, for one reason or another, had been compiled and issued in 1559, 1564, 1571, 1585, and 1597. In 1603 the English Canon Law was codified—based primarily on Roman Canon Law. Fortunately, *The Booke of the Common Prayer* of 1549, Edward VI, contains a comprehensive statement of "The forme of Solemnization of matrimonic" with which England of 1582 was familiar. Moreover, in the matter of a Church marriage, the newly formed English Church adopted and employed virtually the same formal ceremony, even to the wording, as the Roman Church. The Roman Church exercised far more variations in the form of marriage in the several provinces than is commonly understood. (See F. C. Eeles, "The Contract Forms in the Marriage Service," *The Contemporary Review*, CIV, 673-80.) In essentials the English formal service was identical with that of the Roman formal service. From a facsimile reprint of the original copy of the 1549 *The Booke of the Common Prayer* (pp. 325-28) in the Library of Congress, Washington, D.C., the formal Canon Law marriage service in the Church is here given.

THE FORME OF Solemnization of matrimonic

¶First the bannes must be asked three seuerall Soondaies or holye dayes, in the seruice tyme the people beeyng presente after the accustomed manner.

And if the persons that woulde bee married dwel in diuers parishes, the bannes muste

bee asked in bothe parishes, and the curate of thone parish shall not solemnize matrimonie betwixt them, withoute a certificate of the bannes beeyng thrice asked from the curate of thother parische.

At the daye appointed for Solemnization of matrimonic, the persones to be married shal come into the bodie of ye church, with theyr frendes and neighbours. And there the priest shal thus saye

DERELY beloued frendes, we are gathered together here in the syght of God, and in the face of this congregacion, to ioine together this man, and this woman in holy matrimonic, which is an honorable estate instituted of God in paradise, in the tyme of mannes innocencie, signifying vnto vs the mysticall vnion that is betwixte Christe and his Church: whiche holy estate, Christe adorned and beautified with his presence, and first miracle that he wrought in Cana of Galile, and is Commended of Saint Paule to be honourable among all men, and therefore is not to bee enterprised, nor taken in hande vnadvisedlye, lightlye, or wantonly, to satisfie mens carnal lustes and appetites, like brute beastes that haue no vnderstanding: but reuerently, discretely, aduisedly, soberly, and in the feare of God. Duely considering the causes for the whiche matrimonic was ordeined. One Cause was the procreacion of children, to be brought vp in the feare and nurture of the Lord, and prayse of God. Secondly it was ordeined for a remedie agaynst sinne, and to auoide fornicacion, that suche persones as bee married, might liue chastlie in matrimonic, and kepe themselues vndefiled membres of Christes bodye. Thirde for the mutuall societie, helpe, and Comfort, that the one oughte to haue of thother, both in prosperitie and aduersitie. Into the whiche holy estate these two persones present: come nowe to be ioyned. Therefore if any man can shewe any just cause why they maie not lawfully be ioyned so together: Let him now speake, or els hereafter foreuer hold his peace.

And also speakyng to the persons that shalbe married, he shall saie

I require and charge you (as you will aunswere at the dreaddfull daye of iudgemente, when the secretes of all hartes shalbee disclosed) that if either of you doe knowe any impedimente, why ye maie not bee lawfully ioyned together in matrimonic, that ye confesse it. For be ye wel assured, that so manye as bee coupled

together otherwaies then Goddes woord doeth allowe: are not ioyned of God, neither is their matrimonic lawful.

At which daye of mariage yf any man doe allege any impediment why they maye not be coupled together in matrimonic: and will be bound, and sureties with him, to the parties, or els put in a caucion to the full value of suche charges as the persones to bee married dooe susteyne, to proue his allegation: then the Solemnization muste bee differred, vnto suche tyme as the trueth bee tried. Yf no impedimente bee alleged, then shall the curate saye vnto the man.

N. Wilt thou haue this woman to thy wedded wife, to liue together after Goddes ordeinaunce in the holy estate of matrimonic? wilt thou loue her, comforte her, honor and kepe her, in sicknesse and in health? And forsaking all other kepe thee only to her, so long as you both shall liue?

The man shall aunswere.

I will.

Then shall the prieste saye to the woman.

N. Wilt thou haue this man to thy wedded houseband, to liue together after Goddes ordeinaunce, in the holy estate of matrimonic? Wilt thou obey him, and serue him, loue, honor and kepe him, in sicknesse and in health? And forsaking al other kepe thee onely to him, so long as you bothe shall liue?

The woman shall aunswere.

I will.

Then shall the minister say.

Who geueth this woman to be married to this man?

And the minister receiuing the woman at her father or frendes handes: shall cause the man to take the woman by the right hande, and so either to geue their trowth to other: The man first saying.

I N. take thee N. to my wedded wife, to haue and to holde from this day forward, for better, for worse, for richer, for poorer, in sicknesse, and in health, to loue, and to cherishe, til death vs departe: according to Goddes holy ordeinaunce: And therto I plight thee my trowth.

Then shall they looce theyr handes, and the woman taking again the man by the right hande shall say.

I N. take thee N. to my wedded husbände, to haue and to holde from this day

forwarde, for better, for woorse, for richer, for poorer, in sickenes, and in health, to loue, cherishe, and to obey, till death vs departe: accordyng to Goddes holy ordeinaunce: And thereto I geve thee my trouth.

Then shall they agayne looce theyr handes, and the manne shall geue vnto the womanne a ring, and other tokens of spousage, as golde or siluer, laying the same vpon the boke: And the priest taking the ring shall deliuer it vnto the man: to put it vpon the fowerth finger of the womans left hande. And the man taught by the priest, shall say.

¶ With thys ring I thee vved: Thys golde and siluer I thee geue: with my body I thee wurship: and withal my worldly goodes I thee endowe. In the name of the father, and of the sonne, and of the holy goste. Amen.

Then the man leauyng the ring vpon the fowerth finger of the woman's left hande, the minister shall say.

¶ Let us pray. Etc.

Even a casual reading of this formal Church ceremony, reveals its essentials to be virtually of the English Common Law long in operation in England. The fundamental differences which mark the Roman Canon Law idea of marriage are: (1) Matrimony is a holy sacrament instituted by God in paradise. (2) It is a mystical union (whereby man and woman are made one). (3) It was instituted for three purposes: to procreate children who are to be brought up to praise God; to be a remedy against sin and fornication; to be a mutual companionship and help between man and woman. (4) Banns (public announcement) were to be given thrice. (5) There must be no impediments (pre-contract, consanguinity, affinity, etc.). (6) A priest was present to grace the rite. (7) The ceremony was within the church. These prescriptions were common, in 1582, to both the English and the Roman regular (as opposite to the "irregular") marriage. In other essentials the two conceptions and practices of matrimony and marriage are similar: free will and consent on the part of the contracting parties; a mutual exchange of plighted troths: in fact, they themselves (not the priest) marry each other

—"I N. take thee N. to my wedded wife" and "I N. take thee N. to my wedded husbände," just as in the "handfast" marriage; a ring symbolized the Anglo-Saxon contractual sale price; and friends were present as witnesses. That Roman Canon Law accepted and utilized the fundamental precepts of the Germanic practice of matrimony and marriage is obvious. The two systems gradually amalgamated so that *The Booke of the Common Prayer* of 1549 exhibits the two as virtually one. Vicarius, the famed Professor of Law at Oxford, who came from Bologna, taught that "traditio" (the common practice in a given province) was the essence of marriage. While both English Canon Law and Roman Canon Law recognized some sort of formal and public rite as constituting the regular, and perhaps the far more desirable, marriage, the older English Common Law pre-contract or "handfast" marriage was both practiced and recognized as valid and legal. For such a regular Church marriage, a license from a Bishop's consistory was necessary.⁹

Why then, if William Shakespeare had been married validly and legally, though irregularly, via Common Law "handfast" marriage, was a Church marriage entered into subsequently? One critic has held that in marrying while he was still an apprentice William violated the legal agreement with his master and hence was required to marry in the formal and regular way. Yet there is no evidence that an apprentice so marrying, even clandestinely, was compelled to undergo a formal rite. There is furthermore no evidence pro or con that Shakespeare was ever apprenticed; this, too, despite

⁹ It should be remembered, however, that Article 25 of the Thirty-nine Articles of Faith (1562) definitely declared that marriage was not a holy sacrament instituted in paradise. The Fourth Lateran Council, under Innocent III in 1215, decreed the publishing of banns. The Council of Trent, of 1563, declared for "facie ecclesiae" and for an episcopally ordained priest to be present at a wedding. Hammick (*Marriage Law of England*, p. 5) says the Council of Trent had no force in England. 25 Henry VIII, c. 22, first mentioned in English Law the forbidden Levitical degrees. The Levitical (Leviticus 18) and the Mosaic regulations appear not to be altogether clear—indeed a bit contradictory and inconsistent. For the controversy between England and Rome, in the matter of marriage, see the *Statutes at Large* from 24 Henry VIII, 1532, to 1 Elizabeth, 1558.

the fact that apprenticeship of a young man in 1582 was the normal thing. Few, if any, legal instruments of apprenticeship contained the proviso that the apprentice "may not marry" during the period, and no statute or any other legal proviso is known which required a formal Church marriage. Indeed, a license for this purpose most often was beyond what the average apprentice could possibly afford.

Another critic (Lee, *Life*, p. 22) suggests that Anne's friends and neighbors, John Richardson and Fulke Sandells, outraged at young William's seducing Anne, angrily marched the lad to Worcester to secure the license and then compelled him to marry the maiden. If he had plighted his troth with her and had cohabited with her, matrimony between them was already a fact and the second marriage, even if formal and in Church by a priest, would not have added to its validity. The assertion (Morgan, *Mrs. Shakespeare's Second Marriage*, pp. 7-8) that it was Anne's father, Richard Hathaway, who took the steps to compel the youthful William to marry Anne is misguided, for Richard Hathaway had died by the previous July. Another commentator, apologetic for the conduct of his hero, declares that the lad, out of a heightened sense of moral obligation to save the moral reputation of Anne, "t'make a decent woman," hastily and secretly married her. Yet his very pre-contract and cohabiting with Anne, assuming that it was not against her will, constituted marriage in 1582; and the matter of morals and moral culpability did not enter in. Still another critic asserts that it was Anne herself who "insisted on being married in consequence of the fact." As to this there is just as much evidence for as against; that is, none. Yet another insists that it was Mary Arden, loyal and ardent Catholic, mother-in-law of young William, who prevailed upon the lad to celebrate his marriage in the approved Roman Canon Law manner. Again, for this there is no evidence, though it is not wholly without a degree of plausibility. Failure to find specific evidence of his "handfast" or pre-

contract marriage—none of the evidence would possibly have been recorded—leads to no definite conclusion. All that can be presumed is that, before obtaining the license to marry, William Shakespeare had cohabited with Anne Hathaway and some seven months later a girl, Susanna, was born to the couple.

The reason for William Shakespeare's contracting a Church marriage is not far to seek. In this modern commercial age, the captain of industry is the bulwark of the nation; in the Middle Ages it was the armed knight; in the mid-sixteenth century it was the yeoman. John Shakespeare was such a yeoman—one of the class who were the bulwark of the nation. Yeomen in 1582 were ambitious to achieve the status of landed gentry. For establishing their family in the landed gentry via an oldest son, a "handfast" or pre-contract marriage, though valid, was inadequate because it would not clearly legitimize their children.

Among the Germanic folk the matter of family and property succession was very important. Legitimacy was the most essential consideration. This precept was enhanced by the feudal system and its rights of primogeniture. Canon Law also emphasized legitimacy. The Aryan peoples always preferred a single family head, to whom wife, children, and other dependents were subject. Germanic folk, unlike Romans, who took account only of males in considering descent, traced relationship and descent through both males and females. Blood relationship was the basis in matters of inheritance. Says Ernest Young (*Essays in Anglo Saxon Law*, pp. 125-26): "Those are kindred and belong to the same *maegth* [the whole body of kindred or blood relatives of which the household—husband, wife, and children—were a smaller unit] who have common blood with each other or with a third, originating in lawful marriage. This [blood relation] is the only basis of the tie of kinship known to the German law." Except under the Lombard Code, bastard children were not permitted to be legitimized into the *maegth*. Bastard or illegitimate children could not inherit

and could not enjoy dower. The learned Bracton, in his *De Legibus et Consuetudinibus Angliae*, 1569 (edited by Sir Travers Twiss in 1878 in series *Rerum Britannicarum Medicii Scriptores*, with parallel Latin and English texts, section iv, p. 503), asserted:

But since it is said where there is no marriage there is no dower, and conversely where there is a marriage there dower is, and if from the beginning there has been a marriage there dower is during the marriage, and when the marriage is deficient the action for dower fails. Therefore we must see concerning a marriage, from which the exaction of dower proceeds. And on this it is to be known, that a person has a lawful concubine, and has offspring from her in concubinage, and afterwards contracts with her a clandestine marriage, and after the clandestine marriage has offspring by her. Likewise he afterwards contracts marriage with her publicly and in the face of the church [i.e., at the church door], and endows her at the door of the church; in this case he will be legitimate who was born after the clandestine marriage, provided this be proved, and he shall obtain inheritance. And he who was begotten after the solemnization of the marriage (although legitimate) will not be the nearest heir as regards the succession.

Now Susanna, Shakespeare's first child, born within seven months after the license and bond of November 27 and 28, was baptized in the Stratford Parish Church: "[1583] May 26 Susanna daughter to William Shakspeare." And neither the word "bastard" nor the epithet "notha" accompanied the entry in the Register. Yet, as J. O. Halliwell-Phillipps (*Life of William Shakespeare*, p. 111, n.) observes, "illegitimacy was always carefully noted in the register by the addition of *bastard* or *notha*."

That English Common Law "handfast" or pre-contract marriage did not in 1582 guarantee legitimization of offspring nor make certain the right of dower is obvious in the light of legal authority of the day. Swinburne (*Spousals*, Sec. IV, p. 15), asserts: "although by the Common Laws of their Realm (like as it is in France and other places) Spousals not only *de futuro* but also *de*

presenti be destitute of any legal Effects whereunto Marriage solemnized [in the Church before a priest] doth abound, whether we respect legitimation of Issue, alteration of property in her Goods, or right of Dower in the Husband's Lands." Again Swinburne (Sec. XI, p. 109) makes clear that, although such spousals *de presenti* validly make the contracting parties man and wife, still this sort of marriage does not carry with it all the legal effects of a formal marriage at the Church door, where, rather than at the High Altar, the earliest Church marriages were solemnized: "Finally, Albeit they which do Contract Spousals *de praesenti*, be very Husband and Wife, in respect of the Knot or Bond of Matrimony, so that it is not lawful for either of them to marry elsewhere, so long as they now live together; yet do not these Spousals produce all the same effects here in England, which Matrimony solemnized in the face of the Church doth, whether we respect the Legitimation of their Children, or the Property which the Husband hath in the Wife's goods, or the Dower which she is to have in his Lands." William Nevill Geary (*The Law of Marriage and Family Relations*, 1892, p. 3) makes clear that the English Common Law respecting marriage did not recognize the Roman Canon Law's prescription relative to marriage which required that "a ceremony before a priest was necessary to the validity of the marriage in order that the wife might have dower to her husband's land and the children be heirs." Since legitimation of the offspring and certainty of dower rights were not effected via a "handfast" or pre-contract marriage, the Church emphasized the importance and the superiority of its "regular" and formal marriage ceremony. The great number of poorer folk who were married without license and in the "irregular" manner commonly had little to consider in the way of inheritance or dower. If, however, one did have the prospect of inheritance, or dower, the matter of legitimacy of offspring was of vital importance. Certainly any family ambitious to establish itself in the landed gentry would be concerned with

these matters. Hammick (*op. cit.*, p. 4) declares: "it [Canon Law] was received and adopted in this country . . . for one great purpose, that of legitimizing children by the effect of a subsequent marriage."

It seems clear that William Shakespeare and Anne Hathaway entered into a formal Church marriage in the presence of a priest, all after the manner of the Roman Canon Law, for two definite legal reasons: (1) it effected dower right for Anne, and (2), with real certainty from the point of view of the decrees of the 1563 Council of Trent, it legitimized their offspring. This made it possible to establish the Shakespeare family in the line of landed gentry. Illegitimacy, felony, and treason were the three very definite factors which, in that day, barred one's inheriting the family estate.

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XXVI

THE BAPTISM OF SUSANNA SHAKESPEARE, 1583



HE Register of the Stratford Parish Church, under "Baptisms," contains the item here given as Document 73, concerning Susanna Shakespeare. Edgar I. Fripp (*Shakespeare's Haunts near Stratford*, p. 21), in error, gives the date as

and had subsequently secured a formal marriage license on November 27, 1582. (See chapter xxv, above.)

As to Susanna Shakespeare: (1) Her father and mother were issued a Church license to marry on November 27, 1582; but no record at present known shows

and their Roman Church marriage some time after that date remove any question as to Susanna's legitimacy; moreover, the entry for her baptism (May 26, 1583, a Sunday) does not contain the addition "bastard" or "notha," the conventional Elizabethan notation for an illegitimate child in a baptismal entry. (3) In 1597, with her father and mother, Susanna, as a girl of fourteen, moved to New Place. (4) On June 5, 1607, at twenty-four, she married the prominent Puritan physician, John Hall, gentleman; they lived in Hall's Croft, not far from New Place. (5) In 1608, on February 21, a daughter, Elizabeth, their only child, was christened. (6) In July 1613, she brought suit in the Consistory Court at Worcester against

[DOCUMENT 73]

[STRATFORD PARISH REGISTER ENTRY OF THE BAPTISM OF
SUSANNA SHAKESPEARE, 1583]

[1583]

May 26 Susanna daughter to William Shakespeare.

May 31. She was the first child born to William and Anne Shakespeare, who had contracted a common-law marriage

the date and place of their formal marriage. (2) Their common-law marriage, some time before November 27, 1582,

can write blank verse with the best of you. Do be entreated to change your occupation. Let such apes and imitators see no more of your own admired creative work. The one among you who will be the most thrifty will never become a usurer. The kindest of those actors will never prove a good nurse to you when you are in need. While you may, do seek some other means of livelihood and be no longer subject to the indifferent attitudes of such players.

From this, it is clear that Greene's thesis is not so much this "vpstart Crow"—the letter obviously is addressed not to Shakespeare but to the University wits—who is usurping his place as it is that the players have abandoned him (Greene); and he consequently urges and exhorts his playwright friends to seek some other occupation. The entire letter is denunciatory, satirical, bitter.

That Greene's work was aped, filched, imitated—as whose was not in that day—is suggested by contemporary evidence:

Greene, is the pleasing Obiect of an eie:
Greene, please the eies of all that lookt
vpon him.

Greene, is the ground of euerie Painters
die:

Greene, gaue the ground, to all that
wrote vpon him.

Nay more the men, that so Eclipt his
fame:

Purloynde his Plumes, can they deny the
same?

This is from a sonnet in *Greenes Funeralls* (Sonnet ix, Sig. C.) by one "R. B. Gent." (probably Richard Barnfield or Barnabe Rich), which was entered in the Stationers' Register, February 1, 1594. John Danter, the printer of the volume, says it was published "contrary to the Authours expectation, for it was his priuate study at idle times." In 1595 Barnfield repudiated two unnamed books which had been imputed to him. If, by any chance, this *Greenes Funeralls* is one, then Barnabe Rich may have been its author. Greene makes no accusation against anyone's having "Purloynde his Plumes." That Shakespeare did profit, in his earlier work, by the example of Lyly, of Greene, of Marlowe, and others,

goes without further saying. There were no sacred rights of authorship in those days. There is no documentary evidence, however, that Greene's work was purloined more outrageously than that of any other writer of the day.

He argues: (1) The accepted biographical facts about Greene appear in the *Groats-vvorth of Witte* only. (2) Publisher Wright's record is not such as to inspire confidence. (3) It is Chettle only who states that it was "Written before

[DOCUMENT 75]

[PASSAGE FROM GREENE'S *GROATS-VVORTH OF WITTE*
RELATING TO SHAKESPEARE, 1592]

*To those Gentlemen his Quondam acquaintance, that spend their
wits in making plaies, R. G. wisheth a better exercise,
and wisdom to preuent his extremities.*

. . . Base minded men [Marlowe, Nashe, Peele] all three of you, if by my miserie you be not warnd: for vnto none of you (like mee) sought those burres [i.e., actors, members of the dramatic companies] to cleaue: those Puppets (I meane) that spake from our mouths, those Anticks garnisht in our colours. Is it not strange, that I, to whom they all haue beene beholding: is it not like that you, to whome they all haue beene beholding, shall (were yee in that case [i.e., dire poverty and distress] as I am now) bee both at once of them forsaken? Yes trust them not: for there is an vpstart Crow [i.e., one just beginning to work], beautified with our feathers [i.e., an actor in their plays], that with his *Tygers hart wrapt in a Players hyde* [*Henry VI, Part III*, 1, iv, 137: "O tiger's heart wrapt in a woman's hide!"] Here, no doubt, it is deliberately misquoted], supposes he is as well able to bombast out a blanke verse as the best of you: and beeing an absolute *Iohannes fac totum* [i.e., Jack-of-all-work: actor, revamper of old plays, writer of new plays], is in his owne conceit the onely Shake-scene in a countrey. O that I might intreat your rare wits to be imployed in more profitable courses: & let those Apes imitate your past excellence, and neuer more acquaint them with your admired inuentions. I knowe the best husband of / you all will neuer proue an Vsurer, and the kindest of them all will neuer proue a kind nurse: yet whilst you may, seeke you better Maisters; for it is pittie men of such rare wits, should be subiect to the pleasure of such rude groomes.

Recent scholarship¹ suggests that this Greene's *Groats-vvorth of Witte*, in the form given us, is not as originally composed by Greene but is a semiforged version by Henry Chettle (see chapter xxix, p. 184, below) to take advantage of Greene's popularity, intensified, for the time, by Greene's untimely death.

¹ See C. E. Sanders' "Robert Greene and his 'Editors,'" *Publications of the Modern Language Association*, XLVIII (June 1933), 392-417.

his [Greene's] death and published at his dyeing request." (4) Nothing is known of Chettle that would justify complete reliance on his unsupported word. (5) Chettle was partner of John Danter, whose publishing record is not above suspicion. (6) Chettle was generally in financial difficulty—between 1592 and 1597 he turned from publishing to play-writing. (7) Poverty might have been responsible for Chettle's issuing Greene's

Groats-worth of Witte under false colors. (8) Chettle gives no account of his having obtained possession of the manuscript—indeed no indication that anyone other than Chettle ever saw it in Greene's hand. (9) There is no extant example of Greene's handwriting to prove that "sometimes Greenes hand was none of the best." (10) It was entered to William Wright in the Register as "vpon the perill of Henrye Chettle." (11) Gabriel Harvey's *Four Letters* show Greene not to be a very worthy man, and the story of Greene's sending his illegitimate son to his wife cannot be true. (12) Chettle made such use of biographical facts as would give notoriety to the volume and thus enhance the possibility of sales. (13) Chettle's "it was all Greenes" cannot be accepted without confirmation. (14) Greene was in the habit of announcing in a new publication what his next publication would be, and *Groats-worth of Witte* was not so announced. (15) Chettle's statement is essentially an advertisement. (16) Greene's character does not support the idea that, in his last days, he would have given his energies to writing his autobiography and exhorting his acquaintances to better ways of living.

There are other considerations that throw light upon the subject: Greene's confession of biographical facts may, for the sake of argument, be a forgery; but his attitude toward his acquaintances and toward an "vpstart Crow" appears to have been provoked by actual circumstances.

First, however, it must be said, in defense of Chettle's issue of the *Groats-worth of Witte* (1592) and his account of Greene, that Gabriel Harvey's *Four Letters and Certain Sonnets*, 1592, of which a copy in the Huntington collection has been available for study, certainly supports the reputed character and contemporary conduct of Greene. In the first letter (G. B. Harrison's Bodley Head quarto, pp. 10-12), Christopher Bird complains that his neighbor and learned friend Harvey has been maligned (by Greene?): ". . . I sende you my opinion . . . vpon the famous new worke, intituled, *A Quippe for an*

Vpstart Courtier; or forsooth, *A quaint Dispute betweene Velvet-breeches, and Cloth-breeches*: as fantastickall and fond a Dialogue, as I haue seene: and . . . , one of the most licentious, and intolerable Inuectiues, that euer I read. Wherein the leawd fellow, and impudent rayler, in an odious and desperate moode, without any other cause, or reason; . . . defamed . . . one M. Harney, a right honest man of good reckoning; and one that . . . hath maintained foure sonnes in Cambridge and else where with great charges: . . . and three [sons], (in spite of some few Greenes) vniuersally well reputed in both vniversities, and through the whole Realme . . ." Then follows (*ibid.*, pp. 11-12) a condemnatory sonnet, obviously on Greene:

A due Commendation of the Quipping Autor.

Greene the Connycatcher, of this Dreame the Autor,
For his dainty deuise, deserneth the haunter.

*A rakehell: A makeshift: A scribbling foole:
A famous bayard in Citty, and Schoole.
Now sicke, as a Dog: and euer brainesick:
Where such a raving, and desperate Dick?
Sir reuerence, A scurvy Master of Art,
Aunswear'd inough with a Doctors fart.*

.
*Now good Robin-good-fellow, and gentle
Greenesleenes,
Giue him leaue to be quiet, that none ag-
grees.*

In the second letter, addressed "To my louing friend, Maister Christopher Bird of Walden," appears (*ibid.*, pp. 19-23): ". . . I was altogether vnacquainted with the man, & neuer once saluted him by name: but who in London hath not heard of his dissolute, and licentious liuing; his sonde disguisinge of a Master of Arte with ruffianly haire, vnseemely apparell, and more vnseemely Company: his vaine glorious and Thrasionick brauinge: . . . his impious profanity of sacred Textes: . . . his continuall shifting of lodgings: . . . his beggarly departing in euery hostisses debt; his infamous resorting to the Banckeside, Shorditch, Southwarke, and other filthy hauntes: . . . his keeping

of the foresaid Balls sister, a sorry ragged queane, of whome hee had his base sonne, *Infortunatus Greene*: his forsaking of his owne wife, too honest for such a husband: [then worse still: "liec," "begging," "extremety"; then Mrs. Appleby and the mother of *Infortunatus* his only companions in his depravity and misery]: but vnhappy M. Gascoigne, how Lordly happy, in comparison of most-unnhappy M. Greene? He neuer enuyed me so much, as I pittied him from my hart [then follows the account of his last days and his letter to his abandoned wife]:

"Doll, I charge thee by the loue of our youth, & by my soules rest, that thou wilt see this man paid: for if hee, and his wife had not succoured mee, I had died in the streetes. Robert Greene. . . ."

[And the letter concludes]:

"Here lies the man, towhome mistrisse Isam crown'd with bayes;
"Shee, shee, that toyde to heare, her Night-
ingales sweete layes."

And the third letter reads (*ibid.*, p. 37): ". . . Green, vile Greene, wouldst thou wearest halfe so honest, as the worst of the foure, whom thou vpbraidest: or halfe so learned, as the vnlearnedest of the three."

Thus not all the details of the seeming ill-feeling of Harvey against Greene have been forthcoming: the exact motive—except that Greene had "defamed . . . on M. Harney," though it is not altogether clear what the nature of the defamation was—is not known; yet it does not seem that Harvey's comments on Greene are wholly without foundation.

On the other hand, it may be taken with a degree of certainty that jealousy was the motive of Greene's castigation of the "vpstart Crow." Shakespeare had won more than common success in his 2 *Henry VI* and 3 *Henry VI*, which he apparently had written for Pembroke's Men, and in the old stage directions, probably the prompter's (reproduced in the First Folio text), one finds embedded the names of three earlier actors, John Sinklow, Gabriel Spencer, and Humphrey Jeffs. The great dramatist's

early success undoubtedly was based somewhat on the labors of Marlowe and was competing with George Peele's own popular *Edward I*. The so-called University wits, whom Greene himself specifically addressed, were naturally a bit resentful of the intrusion of the "vpstart Crow": they were "those that lived by their wits; and such as were of the livery of learning" (see Thomas Dekker's *Knight's Conjuring*), whereas the "vpstart Crow," William Shakespeare, was a country-bred man from then far-off Stratford. Moreover, Robert Greene, after a short life of self-confessed (?) licentiousness, debauchery, and poverty, was now dying—in distress and in despair. He felt that he had been abandoned and neglected by the actors, perhaps by the company for whom Shakespeare was now writing. J. C. Collins, editor of Greene's *Plays and Poems*, asserts: "Greene, as we know from Nashe, wrote, and wrote much, for the Lord Pembroke's Men," in which opinion W. W. Greg seems to concur. In the absence of conclusive documentary evidence, therefore, it must not be held that Greene was provoked to a greater degree of hostility against Shakespeare because Pembroke's Men had actually substituted William Shakespeare for him as their playwright. Nevertheless, the "vpstart Crow's" success in *Henry VI* could well be looked upon as virtually certain to crowd out the work of another who was already beginning to go into eclipse. This distressed the dying man: in his *Groats-worth of Witte*, Greene vented his own spleen against the encroachment and urged, in an open letter, his fellow University wits to seek other "Maisters," in that no one in the field of the drama could any longer be trusted.

Greene's impulsive tirade, no doubt, was provoked and enhanced in part by the severity of the plague, 1592-1594, and by the general breaking up of the more or less ephemeral dramatic organizations in these years of serious theatrical disorganization in London. The ruin of the companies foreshadowed the end of the domination of the so-called University wits who were writing for

the older organizations and among whom were Greene, Marlowe, Peele, Nashe, and Lodge. Whatever Shakespeare's actual dramatic position as an actor and as a playwright before 1592, the theatrical crash consequent upon the plague may have compelled him to seek other means of livelihood: his *Venus and Adonis* (1593) and his *Lucrece* (1594), each dedicated to his literary patron, the Earl of Southampton,² who, as was the custom, may have contributed some gratuity to the poet, were the result. It was doubtless during this period of respite from dramatic composition that he wrote a goodly number of his *Sonnets*. Greene's own eclipse, September 3, 1592, was followed the next year, May 30, 1593, by the passing of Marlowe.³ And when the new companies were evolved, it was with the Lord Chamberlain's Men, 1594, that William Shakespeare cast his lot. It was in connection with this organization, under one name or another, that all his subsequent dramatic work was done. In 1603 that Company, by special Patent from James I, was elevated to the dignified and royal name of "The King's Men." His services in that connection are now well-known dramatic and literary history.

Hence, Greene's *Groats-worth of Witte* somewhat definitely, though not specifically, throws light on Shakespeare's early dramatic activities in London. By September 1592, he was both a player and a maker of plays. However, general knowledge of Shakespeare was obviously not widespread: he appears, from the *Groats-worth of Witte*, definitely not to have been in the inner circle of confidence of other writers for the dramatic companies. Chettle asserted that he was not acquainted with him; indeed he had to make inquiry about him—only to find that he was in some favor with the better class of society, was a good actor, and was a graceful writer. Definitely the "vpstart Crow" was a rival to the University wits. Cer-

² See C. C. Stopes, *The Life of Henry, Third Earl of Southampton*, 1922, and Arthur Acheson, *Shakespeare's Lost Years in London, 1586-1592*, 1920.

³ See J. Leslie Hotson, *The Death of Christopher Marlowe*, 1925.

tainly as early as anything that can be ascribed to Shakespeare are 2 and 3 *Henry VI*, 1592. T. W. Baldwin's interesting conjecture (*The Organization and Personnel of the Shakespearean Company*, 1927) that the aspiring dramatist served the conventional seven-year apprenticeship, probably in connection with the Earl of Leicester's Men, is not in keeping with the nature of theatrical training of the day, whatever the custom in the guilds and trades (see Chambers, *William Shakespeare*, II, 80-84). The limited information we possess suggests that William Shakespeare came direct from London to Stratford—no doubt to seek his fortune and provide for his own family (wife and three children), whom it seems he left in Stratford. It was Stratford and not London, judging by all the documents connected with him, that he always considered his legal home.

Not only does Greene's account suggest the new actor and dramatist's rather sudden appearance and development but also evidence from other sources indicates that his earliest connections were directly with the theater. Dowdall (1593, MS once owned by Halliwell-Phillips, now in the Folger Shakespeare Library) said: ". . . that he Run from his master to London, and there was Rec^d Into the Playhouse as a serviture, and by this meanes had an oppertunity to be w^t he afterwards prov'd." In 1709, Rowe, in his "Life" (the first of Shakespeare to be published), asserted that "He was receiv'd into the Company then in being, at first in a very mean rank"—that is, he was not a sharer but only a hired man in the theater. Malone (1780, *Supplement to the Edition of Shakespeare's Plays Published in 1778 by S. Johnson and G. Stevens*, I, 67, and the 1790 edition of *Plays and Poems*) had heard he was originally a prompter's attendant or an ordinary callboy, but did not include this information in his revised "Life." A manuscript, now preserved in the University Library, Edinburgh, written about 1748 and printed by Halliwell-Phillips (*Outlines*, II, 286), says D'Avenant "us'd to tell the following whimsical story of him;—Shakespear, when he first came from the country to the

play-house, was not admitted to act; but as it was then the custom for all the people of fashion to come on horseback to entertainments of all kinds, it was Shakespeare's employment for a time, with several other poor boys (in 1591, Shakespeare was twenty-seven years old!) belonging to the company, to hold the horses and take care of them during the representation, etc." At that time, the only theaters that would ordinarily be reached on horseback were The Theatre and The Swan, erected, respectively, in 1576 and 1577. Each of these theaters in 1590-91 was seemingly in the control of Alleyn's dramatic company, which seems to have been a combination of Lord Strange's Men and the Lord Admiral's Men. However, Shakespeare's name does not appear in the cast of the *Seven Deadly Sins* (MS plot now the prized possession of Dulwich College) of about 1591; there is a "Will" in the cast, but he was a boy who played a woman's part (the names of the actors of women's parts are T. Bell, Saunders, Nick, R. Go, Will, and Ned). Moreover, if Shakespeare were actually associated with activities of the Lord Strange's Men, his name is not in the warrant for that Company, dated May 6, 1592, which, no doubt, gives only the names of the sharers and of others very intimately associated. Aubrey's MS (6,

folio 109, Bodleian, dated 1681) account that "Though as Ben: Johnson sayes of him, that he had but little Latine and lesse Greeke, He understood Latine pretty well: for he had been in his younger yeares a Schoolmaster in the Countrey," taken pretty seriously by Adams in his *Life*, does not affect the point that Shakespeare's appearance in London, about 1590-91, when twenty-seven years old, was rather sudden and that his development both as an actor and as a playwright was likewise rather sudden. Greene's *Groatsworth of Witte* of 1592, if its general background has any value at all, is in support of this deduction.

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XXIX

HENRY CHETTLE'S *KIND-HARTS DREAME*, 1592

CHETTLE'S *Kind-Harts Dreame*, published late in 1592 or early in 1593, is important for its explanation of Chettle's part in publishing Greene's *Groatsworth of Witte* the previous September. The title page of the work is as follows:

KIND-HARTS / DREAME. / Conteyning
 fūe Apparitions, wth their / In-
 uedtiues against abuses raigning. / *Deliv-
 ered by seuerall Ghosts vnto him to / be
 publisht, after Piers Penilesse Post / had*

refused the carriage. / Innits Innidae. /
 by H[enry] C[hettle] / [Device] / Im-
 printed at London for William Wright.

*For Shakespeare and his dramatic companies, see J. T. Murray, *English Dramatic Companies*, 2 vols., 1910; T. W. Baldwin, *The Organization and Personnel of the Shakespearean Company*, 1927; J. Q. Adams, *Shakespearean Playhouses, a Study of the English Theatres from the Beginning to the Reformation*, 1917; Edmund K. Chambers, *Elizabethan Stage*, 4 vols., 1923; and also William Shakespeare, 1930, I, chap. III, which is an excellent résumé of the evidence pro and con; W. W. Greg, *Henslowe's Diary*, 2 vols., 1904-5, and Henslowe's Papers, 1907. Acheson's *Shakespeare's Last Years in London*, 1586-1592, 1920, cannot be taken as documented scholarship.

This first edition of 1592 was a quarto in signatures A-G⁴, H², making thirty leaves, the first of which was probably blank. Only five copies are known: one in the British Museum, two in the Bodleian, one owned by W. A. White (the Huth copy), and the fifth in the Folger Shakespeare Library. It will be noted that the title page carries no date; but the entry in the Stationers' Register is for December 8, 1592. If the volume was not actually published before the close of the year 1592, it was undoubtedly is-

sued early in 1593. The date of the Register entry shows that Chettle wrote *Kind-Harts Dreame* between the time of Greene's death, September 3, 1592, and December 8, 1592. Like Greene's *Groats-worth of Witte* of the same year, *Kind-Harts Dreame* was of the didactic and moralizing sort which appeared in goodly numbers during the Elizabethan period.

"To the Gentlemen Readers," prefixed to Chettle's *Kind-Harts Dreame*, (p. 2) and here cited from G. B. Harrison's Bodley Head quarto is given as Document 76.

Whatever else may be charged against Chettle in this preface, it is direct, frank, and even apologetic. The spirit of his "address" is that of one who had a mind of his own. Obviously he harbored no rancor against William Shakespeare. Obviously, too, he felt that he had involved himself in an unpleasant predicament by publishing the *Groats-worth of Witte* and was quite willing to absolve Nashe entirely from blame and center the responsibility where it rightly belonged, (a) on himself for having a bit too innocently and somewhat too carelessly issued it, and (b) on Greene, who, in a vitriolic heat, had written it to several of his "quondam acquaintance," who appear to have been Marlowe, Nashe, and Peele.

In summary, this preface asserts: (1) Greene, on dying some three months before, had left divers manuscripts in sundry booksellers' hands. (2) One was *Groats-worth of Witte*. (3) A letter therein was offensive to one or two playwrights. (4) In the end, blame for it was placed at Chettle's door. (5) He had always, in his printing, hindered any bitter envy against scholars. (6) Chettle did not know either of those who had taken offense. (7) With one of them he cared never to be acquainted. (8) As for the other, he now wished he had used his discretion in issuing the volume. (9) He was as sorry as if the fault had been actually his own. (10) He found the other (Shakespeare) to be civil (= peaceful), an excellent actor, in honorable esteem among the better classes, and a graceful writer. (11)

Chettle actually had struck out, before publishing, some of the undesirable parts Greene had written. (12) The manuscript had been "il written." (13)

omitted some parts. (17) He added "not a worde" of his own. (18) He protested that "it was all Greenes." (19) It was neither his nor Nashe's.

[DOCUMENT 76]

[PASSAGE FROM CHETTLE'S *KIND-HARTS DREAME*
RELATING TO SHAKESPEARE, 1592]

. . . . Ile shew reason for my present writing About three moneths since died M. Robert Greene, leauing many papers in sundry Booke sellers hands, among other his *Groats-worth of wit*, in which a letter written to diuers play-makers, is offensiue by one or two [Marlowe? and Shakespeare?] of them taken, and because on the dead [i.e., Robert Greene] they cannot be auenged, they wilfully forge in their conceites [imagination] a liuing [contemporary] Author: and after tossing it to and fro, no remedy, but it must light on me. How I haue all the time of my conuersing in printing hindred the bitter inueying against schollers, it hath been very well knowne, and how in that I dealt I can sufficiently prooue. With neither of them that take offence was I acquainted, and with one of them I care not if I neuer be: The other, whome at that time I did not so much spare, as since I wish I had, for that [because] as I haue moderated the heate of liuing writers, and might haue vsde my owne discretion (especially in such a case) the Author beeing dead, that I did not, I am as sory, as if the originall fault had beene my fault, because my selfe haue seene his demeanor no lesse ciuill than he exelent in the qualitie [profession of acting] he professes: Besides, diuers of worship [i.e., the higher class of society] haue reported, his vprightnes of dealing, which argues his honesty [honorableness], and his facetious grace in writting, that aprooues his Art. For the first, whose learning I reuerence, and at the perusing of Greenes booke, stroke out what then in conscience I thought he in some displeasure writ: or, had it beene true, yet to publish it, was intollerable: him I would wish to vse me no worse than I deserue. I had onely in the copy this share, it was il written, as sometimes Greenes hand was none of the best, licensd it must be, ere it could bee printed, which could neuer be if it might not be read. To be breife, I writ it ouer, and, as neare as I could, followed the copy, onely in that letter I put something out, but in the whole booke not a worde in, for I protest it was all Greenes, not mine nor Maister Nashes, as some vniustly haue affirmed. Neither was he the writer of an Epistle to the second part of Gerileon, though by the workemans error T. N. were set to the end: that I confesse to be mine, and repent it not.

Greene's hand was none of the best. (14) Chettle had to read the manuscript before it could be licensed. (15) Chettle rewrote it—following the copy. (16) He

That the officials of the Stationers' Company, in 1592, were holding Chettle responsible for the *Groats-worth of Witte* which he was issuing at the "dye-

ing request" of Greene, is suggested from the entry in their Register for September 20, 1592 (see chapter xxviii, p. 179). The phrase "vpon the perill of Henrye Chettle" is an unusual phrase in the Register of the Stationers' Company. Greene had written his *Groats-worth of Witte* about August 1592, and had died September 3, 1592. Henry Chettle undertook the publishing of the *Groats-worth of Witte* the following September 20, when it was entered in the Register of the Stationers' Company, or thereafter. One wonders whether or not William Wright was anticipating trouble over the manuscript and wished to avoid personal responsibility.

chastised him for his atheism, for which he was then well known; Shakespeare, because he was pointed out as an "vpstart Crow" and as a "*Iohannes fac totum*" who had too high an opinion of his ability to "bombast out a blanke verse." Thomas Nashe's vehement denial suggests a degree of personal anxiety to be freed from the responsibility of such a virulent attack. Accordingly, Henry Chettle, sensing the hostile situation so precipitated, penned and published his now well-known explanation and apology, particularly to William Shakespeare.

It is appropriate to note that in all the "War of the Theatres," and in all the

to Shakespeare, in which he exhorts the poet to write something mourning Elizabeth's recent death. The lines are here reproduced as Document 77.

In the light of Shakespeare's mirroring forth the general (not specifically topical) spirit and mood of the Elizabethan period, and in the light of his own deeply national patriotism, it is worthy of special note that neither on the passing of the Tudor Virgin Queen nor on the coming of Stuart James I (1603) did the great dramatist write either an elegy to the former or a laudatory welcome to the latter. Elkin C. Wilson's recent (1939) *England's Eliza*, an exhaustive collation of the contemporary platitudes and commendatory verse to the great Queen, reveals that virtually every Elizabethan of note (whether prominent poet or not) in that period produced, at one time or another, flattering verses (Latin and English) to the reigning sovereign Elizabeth. Under the several names "*Judith*," "*Deborah*," "*Eliza*," "*Elisa*," "*Diana*," "*Laura*," "*Idea*," "*Cynthia*," "*Gloriana*," and "*Belphoebe*," Queen Elizabeth was gloriously flattered again and again, and numerous writers, in both Latin and English, dedicated or presented their volumes to her; but Shakespeare does not seem to have succumbed, in any corresponding degree, to the spell.

[DOCUMENT 77]

[LINES FROM ENGLANDES MOURNING GARMENT, REFERRING TO SHAKESPEARE, 1603]

Nor doth the siluer tonged *Melicert*,
Drop from his honied muse one sable teare
To mourne her death that graced his desert,
And to his laies opened her Royall care.
Shepherd, remember our *Elizabeth*
And sing her Rape, done by that *Tarquin*, Death.

Thomas Nashe, too, seemed concerned that he should be held responsible for the volume to which offence had been taken by one or two. He (see McKerrow's *Works of Thomas Nashe*, IV, 78-79), in a formal and sarcastic Epistle to the printer of the second edition of his *Pierce Penilesse*, printed about October 15, 1592, hotly denies the scurrilous report that he had written *Groats-worth of Witte*. As reprinted in G. B. Harrison's Bodley Head quarto, pp. 2-3, the passage reads: "Other news I am aduertised of, that a scald, triual, lying pamphlet, cald *Greens groats-worth of wit* is giuen out to be of my doing. God neuer haue care of my soule, but viterly renouce me, if the least word or sillable in it proceeded from my pen, or if I were any way priuie to the writing or printing of it."

Obviously the one or two who had taken offense were Marlowe and Shakespeare: Marlowe, because the pamphlet

contemporary theatrical activity, the name of William Shakespeare has yet to be directly connected therewith. He was not cantankerous and pugnacious. The contemporary evidence supports the conclusion that he was a lovable and honorable person of keen intelligence whom his associates esteemed. He was a man of parts, too busily immersed in playwriting and acting to concern himself with mere controversy. Although in business affairs he appears to have been cautiously exacting, even in the matter of Greene's attack he does not appear to have been very active.

Chettle's poem *Englandes Mourning Garment*, published without a date but unquestionably written at the time of its entry in the Stationers' Register on April 25, 1603, contains lines referring

¹ See critical volumes by Roscoe A. Small, *The Stage-Quarrel between Ben Jonson and the So-called Poetasters*, 1899, by Josiah H. Penniman, *The War of the Theatres*, 1897, and by Robert Boies Sharpe, *The Real War of the Theatres*, 1935.

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² See the bibliography appended to the chapter on Greene's *Groats-worth of Witte* (see chapter xxviii, p. 183).

XXX

RICHARD FIELD'S PUBLICATION OF *VENUS AND ADONIS*, 1593

THE only known copy of the first edition of *Venus and Adonis* is one of the rarest Shakespeare possessions of the Bodleian Library at Oxford University. The beautifully printed volume, in quality considerably above the average of similar quarto volumes of the time, is virtually perfect. The quarto signatures are [A]², B-G⁴, [H]² (29 leaves); and it measures 7¾ by 5¼ inches. It was purchased by Edmund Malone, from William Ford of Manchester, in August 1805; and it is bound with a copy of Giles Fletcher's *Licia* (1593), a collection of sonnets after the fashion of Shakespeare's *Sonnets*. Its title page is here given as Document 78.

In typography and format this volume is one of Richard Field's best work. "None of his works," says Mrs. Stopes (*Shakespeare's Contemporaries*, p. 12), "are so free from printer's errors as this," and Halliwell-Phillipps (*Outlines*, II, 101-5) praises the "pure text" of *Venus and Adonis*. The Anchora Spei of the printer's device used by Field on the title page is that of Vautrollier, though Field acquired copyright in his own name. The care with which this volume is printed suggests personal supervision on the part of both Field and Shakespeare.

The Latin motto on the title page is from Ovid's *Amores*, I, El. xv, 35-36:

*Vilia miretur vulgus: mihi flauus
Apollo
Pocula Castalia plena ministret aqua.*

This Christopher Marlowe translated,

Let base conceited wits admire vile
things:
Fair Phoebus lead me to the Muses
springs.

It is therefore suggestive of Shakespeare's own enforced decision, because of the dreadful plague in 1592, to aban-

don playwriting and to devote his creative powers to poetry. Lodge, in his *Scyllas Metamorphosis* (which first appeared in 1589), having abandoned dramatic composition for poetic composi-

rarily at least, of more than one dramatist by suddenly cutting off his means of livelihood. They were obliged to turn elsewhere in their literary endeavors. Of the number was William Shakespeare,

[DOCUMENT 78]

[TITLE PAGE OF FIRST QUARTO OF SHAKESPEARE'S
VENUS AND ADONIS, 1593]

[Ornament] VENVS / AND ADONIS / *Vilia miretur vulgus: mihi flauus Apollo / Pocula Castalia plena ministret aqua.* / [Richard Field's printer's device.]* / LONDON / Imprinted by Richard Field, and are to be sold at / the signe of the white Greyhound in / Paules Church-yard. / 1593.

* See R. B. McKerrow's *Printers' and Publishers' Devices in England & Scotland, 1485-1640* (London, 1913), No. 192. Issued by the Bibliographical Society, this work is indispensable to scholars in matters relating to Elizabethan printers' and publishers' devices. For a biographical account of Richard Field, see Stopes, *Shakespeare's Warwickshire Contemporaries*, 1907, chapter i.

tion, perhaps conforming to convention, also had resolved

To write no more of that whence
shame doth grow,
Or tie my pen to penny-knaves delight,
But to live with fame, and so for
fame to write.

In the same year (?), in a sonnet to a friend, Lodge had declared,

My name be buried where my body
is,
And live no more to shame not me
nor you;
For I am shamed by that which
I bring forth.

The reputé in which plays were held, in contrast to poetry, as a literary product, is illustrated in Samuel Daniels' "God forbid I should my papers blot with mercenary lines . . . No, no; my verse respects not Thames nor Theatres." The plague had blighted the hopes, tempo-

who, apparently in rapid succession, wrote *Venus and Adonis* and *Lucrece*. The fact that plays were not considered the serious invocation of the Muses may suggest also the reason for Shakespeare's identifying *Venus and Adonis* as "the first heire of my inuention." Probably it would not have occurred to Shakespeare so to dignify any of his plays.

A. The quarto and octavo editions of *Venus and Adonis* have been variously identified and differently listed. From Sir Sidney Lee's list in his 1905 facsimile edition of *Venus and Adonis*; from Henrietta C. Bartlett and A. W. Pollard's *Census of Shakespeare's Plays in Quarto*, 1916; from Miss Bartlett's *Mr. William Shakespeare, Original and Early Editions of His Quartos and Folios*, 1923; from R. B. McKerrow's *Printers' and Publishers' Devices in England & Scotland, 1485-1640*, 1913; from the *Short Title Catalogue*; from Chambers'

William Shakespeare, 1930; from Farr's article (4 *Library* III, 225-60, which identifies the unnamed publishers of a number of issues of *Venus and Adonis*); and from first-hand examination of most of the volumes, the following list has been compiled:

- 1593 *Quarto 1* Richard Field [for Richard Field?]. Unique copy in the Bodleian Library.
- 1594 *Quarto 2* Richard Field [for J. Harrison]. Copies in the British Museum, the Bodleian, Yale, and Huntington libraries; Birthplace Museum has one leaf bought at the Daniel sale (1864) by Halliwell-Phillipps.
- 1594-1596 *Octavo 1* A 12-leaf (B¹-D⁴; all else lacking) fragment in the Folger Library; n.d., but the evidence is that it is of an issue after the 1594 quarto and before the 1596 octavo. This fragment may be a variant of the 1595 octavo.
- 1596 *Octavo 2* Richard Field for John Harrison. Copies in the British Museum and the Bodleian Library.
- 1599 *Octavo 3* [Peter Short] for William Leake. Unique copy, discovered in 1867 by C. Edmonds at Lamport Hall, the seat of Sir Charles Isham, is in the Huntington Library. In 1893 Sir Charles sold the copy to Christie Miller, who in December 1919 sold it to G. D. Smith for Mr. Huntington at a price of £15,100. The volume is bound in with a unique 1599 *The Passionate Pilgrim* and with [John] D[avies] and C[hristopher] M[arlowe]'s *Epigrams and Elegies* (n.d.). C. Edmonds, by Sotherton & Co., 1870, issued a facsimile of it.
- 1599 *Octavo 4* [Richard Bradocke] for William Leake. Copies in the Bodleian (lacks title page) and in the Folger Library. The Folger copy is bound up in a rare volume of Shakespeareana which once belonged to Richard Burton of Longner Hall. B. Quaritch secured it for Mr. Folger in 1920.
- 1602 *Octavo 5* [Richard Bradocke for William Leake]. Title page is missing. Chambers (*William Shakespeare*, I, 544) lists this copy.
- 1602 *Octavo 6* [Robert Raworth] for William Leake. Raworth took up
- his freedom as a stationer in 1606 and discontinued printing in 1608. (Arber, *Transcript*, III, 701.) Arber (*ibid.*, III, 703, 704) records that he was "suppressed for printing another Copy [i.e. VENUS and ADONIS]" and was "forfeited for VENUS and ADONIS."
- 1602 *Octavo 7* [Humphrey Lownes] for William Leake. Copies in the British Museum, in the Bodleian, and also a Lord Maclesfield copy. The copy listed in the *Catalogues Bibliothecae Harleianae* (1743-45) cannot now be located. The Bagford Collection, British Museum, has a title page of this edition.
- 1602 *Octavo 8* For Leake. Title page only. Listed by Chambers.
- 1617 *Octavo 9* [William Standish] for W. Barrett. A unique copy is in the Bodleian Library, to which it was bequeathed, in 1833, by Thomas Caldecott.
- 1620 *Octavo 10* For I. Parker]. A unique copy is at Trinity College (Cambridge), the gift of Edward Capell.
- 1627 *Octavo 11* Printed by John Wreittoun; published in Edinburgh, the first example of any work of Shakespeare printed outside London. Copies in the British Museum and Huntington Library.
- 1630 *Octavo 12* J. H[aviland] for Francis Coulis. A unique copy is in the Bodleian. The copy, once owned by Anthony à Wood, is bound up with other items.
- 1630 *Octavo 13* n.d.; title page is missing. Bartlett dates it as of 1630 to 1636. Lee says there were two editions in 1630. This unique copy is in the Bodleian Library.
- 1636 *Octavo 14* I. H[aviland] for Francis Coules. Copies in the British Museum and in the Folger Library.
- 1675 *Octavo 15* The W. A. Clark Library (Los Angeles, California) has a copy.

From the foregoing data, it appears that *Venus and Adonis* during Shakespeare's lifetime was issued no fewer than ten different times, from 1593 to 1602, with a reprint in 1617, the year after his death. There appears to have been no reprint actually of the 1600 date.

Some scholars hold that the two issues of 1599 and the four reprints of 1602 are but variants; yet they appear to have been by totally different printers. Only *Richard III* shares honors with *Venus and Adonis* in popularity (in printed form) during the dramatist's lifetime; *Richard III* was printed five times and *Venus and Adonis* ten times.

B. It appears that the printing of *Venus and Adonis* was virtually complete at about the time of the copyright entry in the Register of the Stationers' Company; in any event, the volume soon must have been on sale, at least before June 12, 1593. Malone's *An Inquiry into the Authenticity of Certain Miscellaneous Papers* . . . (1796, p. 67) cites an entry in a manuscript diary: "12th of June, 1593, for a Survey of Fraunce, with the Venus and Athony per Shakspeare, xijd." Subsequently, however, Malone never made mention of this ancient Diary; and its whereabouts now, if it ever existed, is unknown. In the Register of the Stationers' Company the entries relating to *Venus and Adonis* which appear, are here given as Documents 79-83.

Richard Field, a fellow townsman and boyhood acquaintance of William Shakespeare, son of the Henry Field whose goods John Shakespeare helped to appraise on the former's death, had been in London since 1579, when he had become a printer's apprentice. From *A Transcript of the Registers of the Stationers of London* (edited by Arber) it is clear that Richard Field in 1579 was apprenticed to Thomas Vautrollier, printer, and to George Bishop, stationer, both of London. The entries in the Register are definite; the two entries for August 10, 1579, read:

master Bisshop Richard ffeylde sonne of
Henry FFEILDE of
STRATFORD VPPON AVEN
in the countye of War-
wick Tanner: Hath put
him self Apprentis to
george byshop citizen
and stationer of London
for vij yeres from mi-
chaelmas next [29th Sep-
tember 1579] ij^a vj^d

Thomas vau-
trollier

It is agreed yat this Apprentis shall serue ye first. vj. yeres of his apprenticeship with ye said vautrollier of learne ye art of printinge and ye vijth yere with ye said. g. bisshop¹ 3 Novr

Accordingly, by 1586, Richard Field was both a printer and a stationer; hence, the first quarto of *Venus and Adonis*, in 1593, was printed by himself and apparently for himself as publisher thereof. While the evidence is not absolutely conclusive, scholars like to believe that this was all done out of personal friendship for Shakespeare.

From the first two *Venus and Adonis* entries in the Stationers' Register it is obvious that the copyright was in Field's own name as of April 18, 1593; and that he assigned his copyright to "Master Harrison Senior" as of June 25, 1594. This assignment of June 25, 1594, is re-entered directly under Richard Field's name in the copyright entry of April 18, 1593; that is, the added note "Assigned ouer to master Harrison senior 25 Junij 1594" was not originally a part of the entry but obviously was added later, on June 25, 1594, when the new assignment was made. Harrison issued editions in 1594 and 1596, all printed by Richard Field. On June 25, 1596, Harrison assigned his right in *Venus and Adonis* to "William leeke," who issued editions in 1599 and 1602 printed by Peter Short, Richard Bradocke, Robert Raworth, and Humphrey Lowne. On February 16, 1617, approximately at the time of Shakespeare's death, Leake assigned his right in *Venus and Adonis* to Master Barrett. In 1626 the copyright was in Master Parker's hands; for, on May 7, 1626, he assigned it to John Haviland and John Wright.

C. Shakespeare's dedication of *Venus and Adonis* to the Earl of Southampton deserves to be quoted in full. It reads:

To the Right Honorable Henrie VVriothesley, Earle of Southampton, and Baron of Titchfield.

¹ Arber, *A Transcript of the Registers of the Company of Stationers of London, 1554-1664*, II, 93.

Right Honourable, I know not how I shall offend in dedicating my vnpolisht lines to your Lordship, nor how the worlde will censure mee for choosing so strong

tion proue deformed, I shall be sorie it had so noble a godfather: and neuer after care so barren a land, for feare it yeeld me still so bad a haruest, I leaue it to your Hon-

[DOCUMENT 79]

[STATIONERS' REGISTER ENTRY CONCERNING
VENUS AND ADONIS, 1593]*

[1593] xviii^o Aprilis

Richard ffeild

Entred for his copie vnder th[e h]andes of the Archbisshop of Canterbury and master warden Stirrop, a booke intituled / *Venus and Adonis*. /

Assigned ouer to master Harrison senior 25 Junij 1594/

vjd S./

* Edward Arber, *A Transcript of the Registers of the Company of the Stationers of London, 1554-1664* (5 vols., 1875-94), II, 630.

[DOCUMENT 80]

[STATIONERS' REGISTER ENTRY OF ASSIGNMENT
OF VENUS AND ADONIS, 1594]*

[1594] 25 Junij

Master Harrison Senior.

Assigned ouer vnto him from Richard ffeild in open Court holden this Day a book called *Venus and Adonis*

The which was before entred to Richard ffeild. 18. aprilis / 1593 /

* Arber, *Transcript*, II, 655.

[DOCUMENT 81]

[STATIONERS' REGISTER ENTRY OF SECOND ASSIGNMENT
OF VENUS AND ADONIS, 1596]*

William leeke [1596] 25 Junij

Assigned ouer vnto him for his copie from master harrison th[e] elder, in full Court holden this day. by the said master harrisons consent. A booke called. *Venus and Adonis*

vjd

* Arber, *Transcript*, III, 65.

a proppe to support so vveake a burthen, onelye if your Honour seeme but pleased, I account my selfe highly praised, and vowe to take aduantage of all idle houres, till I haue honoured you vvith some grauer labour. But if the first heire of my inuen-

ourable suruey, and your Honor to your hearts content vvwhich I wish may alwaies answere your owne wish, and the worlds hopefull expectation.

Your Honors in all dutie,
William Shakespeare.

Few dedications in Elizabethan days are shorter and more to the point than this of William Shakespeare to the Earl of Southampton; certainly none are more courteously frank or more solicitously independent. Halliwell-Phillipps (*Outlines*, I, 119) declared it a perfect example of "the judicious fusion of independence and courtesy."

dedicated to the popular Earl of Southampton as his chosen patron, was the result.

Henry Wriothesley was in demand as a literary patron. Shakespeare was only one of a large number of poets who sought his patronage; among them were Barnabe Barnes, Richard Braithwaite, George Peele, George Wither, Gervase

served by the publication of their manuscript plays. Shakespeare accordingly had no further occasion to seek or make use of a patron. The literary practice of the day does not confirm the frequently quoted statement that Shakespeare dedicated nothing more to Southampton because coldness supplanted the once warm friendship between them. In fact, apart from these dedications, there is no documentary evidence concerning the personal relations between William Shakespeare and Henry Wriothesley, the Third Earl of Southampton.

There is very little in this dedication, in either idea or phrasing, that is not found in other contemporary epistles of this sort. The phrase "vnpolisht lines" was something of a literary formula; indeed, not very long after (1594), Thomas Nashe, in his long dedication of his *Jack Wilton* to Southampton, spoke of "these unpolisht leaves of mine." Also the diplomatic fear of "offending" and fear of the world's "censure" are recurrent conceits in dedicatory epistles. Likewise "onelye if your Honour seeme but pleased, I account my selfe highly praised," is paralleled in Nashe's "Prize them as high or as low as you list: if you set anie price on them, I hold my labor well satisfide" (1594). Moreover, the promise of "some grauer labour" recurs, in idea if not in actual phrase, in other contemporary dedications: Nashe in his dedication of *Jack Wilton* to Southampton, declared, in fulfillment of a promise, "better lines ere long shall honor thee." Shakespeare's "all idle houres" was Spenser's "my idle labours" in his dedication (1591) of his "Mother Hubberd's Tale" to Lady Compton. These things aside, Shakespeare's dedication, by virtue of its charm and courteous dignity of address, is one of the finest bits of prose in the English language and the very first from his pen to be printed. Chettle's comment ("To the Gentlemen Readers" prefixed to his *Kind-Harts Dreame*) is strictly in keeping with Shakespeare's practice: ". . . diners of worship haue reported, his vprightnes of dealing, which argues his honesty, and his facetious grace in writting, that aprooues his art."

[DOCUMENT 82]

[STATIONERS' REGISTER ENTRY OF ASSIGNMENT
OF *VENUS AND ADONIS*, 1617]*

16^o februaryj 1616 [*i.e.* 1617]

Master Barrett Assigned ouer vnto him by master Leake and by
order of a full Courte all theis Copies followinge
xiiij^t./

viz^t.

Palermin of Englande, 3 parte
Venus and Adonis

* Arber, *Transcript*, III, 603.

[DOCUMENT 83]

[STATIONERS' REGISTER ENTRY OF ASSIGNMENT
OF *VENUS AND ADONIS*, 1626]*

7^o Maij 1626

John Havilond Assigned ouer vnto them by master Parker and
John Wright by Consent of master Islip warden A booke called
Venus and Adonis vjd.

* Arber, *Transcript*, IV, 160.

The dramatist had already written *Henry VI*, *Love's Labour's Lost*, *The Comedy of Errors*, and *The Two Gentlemen of Verona* before 1592, when suddenly the plague (see Stowe's *Annals*, p. 1274) closed all London theaters during two years to 1594, and Pembroke's Company, possibly Shakespeare's company,² became bankrupt in 1593. Shakespeare was under the necessity of turning to some other occupation for his livelihood, and the vigorous, dramatic-lyric narrative poem, *Venus and Adonis*,

Markham, Richard Barnfield, Sir John Davies, Samuel Daniel, Dr. Gwinn, John Clapham, Thomas Nashe, Sir John Beaumont, Arthur Price, Francis Beale, William Pettie, and John Florio. In 1594 Shakespeare dedicated *Lucrece* to Southampton; and then the plague ended, the theaters opened again, and once more Shakespeare turned to playwriting, with the result that no more of his poems are dedicated to the famed Earl. Of course, plays were not dedicated to anyone for the reason that they were the purchased property of the dramatic company, and financial interests may not have been

² See below, chapter xxxv, for Shakespeare's dramatic connections.

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XXXI

RICHARD FIELD'S PUBLICATION OF *LUCRECE*, 1594

HIS first edition of *Lucrece* (1594) is a quarto (the British Museum copy is 7 by 4¹⁵/₁₆ inches) arranged in signatures [s¹], A², B-I⁴, K-M⁴, N¹ = 48 leaves (unpaged), the last of which is blank. While of the 1593 quartos of *Venus and Adonis* there is but one copy extant (Bodleian), of *Lucrece* there are at least a dozen: British Museum; Sion College; Bodleian (Malone's copy); Huntington;¹ Folger Shakespeare Library (three copies—one, the W. A.

White copy, perhaps the finest in existence). The title page is here given as Document 84. The unpaginated leaves measure (Tite-Locker-Lampson-Church copy in Huntington) 6¹/₁₆ by 5 inches. The catchwords occur on the verso only. There are but three stanzas to the page, a condition resulting in rather generous margins at the bottom of the pages. Edi-

¹The Huntington Library also has copies of the 1594, 1607, 1616, 1624, 1632, 1655, and 1699 editions. The Huntington 1594 first quarto has some script deletions and interlinear emendations.

tions of 1616, 1624, and 1632 are characterized by a rather frequent employment of italics in the text. The 1594 first quarto has virtually no italics in the text. The 1655 edition has the Faithorne engraving of Shakespeare.

Like *Venus and Adonis* (1593), *Lucrece* (1594) is, for its day, an excellent piece of printing. There are, however, evidences of corrections while it was going through the press. Richard Field, Shakespeare's Stratford friend, apparently took unusual care in the printing

of each of these literary products. In both instances, the result has been a text conspicuously free from printer's errors. It is reasonable to infer that the more than common success of the well-printed *Venus and Adonis* of the previous year prompted similar care in the printing of *Lucrece*. The title page of each is clear, simple, well arranged—conspicuously free from the fulsome advertising which cluttered the title page of many a contemporary play. The title page of

or "ravishment" or "pure" or "chaste" or "sweet." These interpretative epithets suggest that it appealed to contemporary Elizabethans as a moral tale rather than as pure poetry. An examination of the contemporary references and allusions to these two poems in the *Shakespeare Allusion-Book*³ confirms this observation. The general tone of *Lucrece* is somewhat more Medieval, while that of *Venus and Adonis* is distinctively more Renaissance; hence the *Venus and*

E. K. Chambers' *William Shakespeare* (1930), William Jaggard's *Shakespeare Bibliography* (1911), and from first-hand examination of the several issues, the following list of editions has been compiled:

- 1594 *Quarto 1* Richard Field for John Harrison. More than a dozen copies are known: British Museum; Bodleian (2 copies); Trinity College (Cambridge); Sion College; Huntington; Folger Library (3 copies).
- 1598 *Octavo 1* P[eter] S[hort] for John Harrison. Unique copy (bequeathed by Capell) in Trinity College (Cambridge).
- 1600 *Octavo 2* I[ohn] H[arrison] for John Harrison. Copies are in Bodleian (2 copies: one is the Farmer-Malone) and Folger (Burton copy, discovered January 1920 bound up with a 1599 *Venus and Adonis*, other quartos). E. K. Chambers (*William Shakespeare* I, 546) lists two issues for 1600.
- 1607 *Octavo 3* N[icholas] O[kes] for John Harrison. Copies are in Trinity College, Cambridge, and Huntington Library (Bridgewater).
- 1616 *Octavo 4* T[homas] S[nodham] for Roger Jackson. Appeared about the time of Shakespeare's death. Copies are in British Museum, Bodleian (Caldecott), New York Public Library (Lenox), Huntington (Ouvry-Locker-Lampson-Church). The title page now reads *The Rape of Lucrece*. For the first time "Mr. William Shakespeare" is on the title page as the author. This edition has a marginal analysis (repeated in all subsequent editions) of the story; its text is the most inaccurate and corrupt of these early editions.
- 1624 *Octavo 5* I[ohn] B[eale] for Roger Jackson. Some six copies are known: British Museum, Huntington, Folger, and others. Shakespeare's name is on the title page.
- 1632 *Octavo 6* R. B[adger?] for John Harrison. Copies are in Corpus Christi, Oxford; Edinburgh University; Britwell (Steevens-Heber); Huntington (Halliwell-Perry); Folger Library; Boston Public Library. Shakespeare's name is on the title page.

[DOCUMENT 84]

[TITLE PAGE OF QUARTO 1 OF LUCRECE, 1594]

[Ornament] LVCRECE. / [Richard Field's printer's device]* / LONDON. / Printed by Richard Field, for Iohn Harrison; and are / to be sold at the signe of the white Greyhound / in Paules Church-yard. 1594.

*It is to be noted that Richard Field used the same printer's device on the title page of *Lucrece* as on that of *Venus and Adonis*. See R. B. McKerrow's *Printers' and Publishers' Devices . . . , 1485-1640*, No. 222, from which the following facts are available: Thomas Vautrollier (1585) first used this device—its actual source is unknown—which is an anchor held by a hand suspended from a cloud and which has the motto, "*Anchora Spei*" (symbol of hope; see Hebrews 6: 19). Field, who had been apprenticed to Vautrollier, married (1588-89) Vautrollier's widow, whereupon he inherited all of Vautrollier's devices. On Field's death in 1624 this device passed to George Miller (printer's apprentice to Field) or to Richard Badger (partner to Field); about 1630, it passed to Badger alone, who inherited all the Vautrollier-Field devices.

Thorpe's first edition (1609) of *Shakespeare's Sonnets* shares artistic honors, so far as clarity and simplified content are concerned, with those of *Venus and Adonis* and *Lucrece* (see chapter lxxxi, Volume II).

It is to be noted that, while the simplified "LVCRECE" heads the title page, the running title is "The Rape of Lvrece" and the Registry entry (see B) has "the Ravysheiment of Lucrece." Halliwell-Phillipps (*Outlines*, I, 118) holds that originally the poem was to have been entitled *The Ravishment of Lucrece*. Contemporary references to Shakespeare's poem and to the well-known story of Lucrece, in ballad or other contemporary form,² are: "rape"

Adonis enjoyed more contemporary popularity than the moral *Lucrece*. It was not until the 1616 octavo that the title page read *The Rape of Lucrece*.

Only the 1594 edition was in quarto form; each subsequent issue was an octavo. From Sidney Lee's list in his facsimile edition of *Lucrece* (1905), Henrietta Bartlett's *Mr. William Shakespeare* (1923), R. B. McKerrow's *Printers' and Publishers' Devices* (1913),

local contemporary allusions point that way. Drayton's *Matilda* (1594), in editions before 1596, represents Lucrece as "Acting her passions on our stately stage," even though before and after this passage he spoke exclusively of poems. Thomas Heywood (†1650), in his *Apology for Actors* (1612), Sig. G., appears to refer to a play on the subject of Lucrece earlier than his own time. His own extant drama, *Rape of Lucrece*, was published in 1608. Drayton's omission of this passage in editions after 1596 may be accounted for by his habit of revising and altering when preparing new editions.

²Issued by Ingleby and others, 1874; edited, Munro, 1909; re-edited and published anew, 1932, by E. K. Chambers, 2 vols.

¹That there were ballads (Register of Stationers' Company has entries for such ballads in 1568 and 1570; Warton says a ballad of *Lucrece* was printed in 1576 of which no copy is known) on the subject of Lucrece is well known. Whether or not an early play or plays dealt with the topic is less certain, though

1655 *Octavo 7* J[?] G[?] for John Stafford and Will: Gilbertson. A goodly number of copies are known (Bodleian, Boston Public Library, Folger, Huntington Library, and others); but those having the William Faithorne engraving (Droeshout's of 1623 and William Marshall's in the 1640 *Shakespeare's Poems* had preceded it) are rare. Halliwell-Phillips said that of thirty copies he had seen only one that had this frontispiece. Copies in Huntington and Folger libraries have this engraving. This 1655 edition of *Lucrece* has annexed *The Banishment of Tarquin: or, the Reward of Lust* by J. Quarles, son of Francis Quarles, the poet. The authorship of *Lucrece* is accredited, on the title page, to "The incomparable Master of our English Poetry, Will: Shakespeare, Gent." This "Gent" is a remarkable testimony to Shakespeare in the light of its occurring during the Cromwellian regime.

1699 *Octavo 8* Huntington Library has a copy.

In addition to the editions listed above, Malone (*Supplement to the Edition of Shakespeare's Plays Published in 1778 by S. Johnson and G. Stevens, 1780*) mentioned issues of 1596 and 1602, for the existence of which convincing documentary evidence is wanting. Halliwell-Phillips mentioned also a 1610 edition, but it has never been found. And Sidney Lee (facsimile edition of *Venus and Adonis*, 1905, p. 37) lists a 1621 edition, which may not have appeared, for no copy is known. Of the 1594 first quarto *Lucrece*, as has been pointed out, in contrast to the unique copy in the Bodleian of the 1593 first quarto of *Venus and Adonis*, there are more than a dozen copies extant—almost as many as of all the other issues before the 1655 edition. Lee's facsimile (pp. 39-56) reproduces the title pages of the 1594, 1598, 1600, 1607, and 1655 editions. The relatively large number of extant copies of the 1594 quarto suggests a rather large number in the original printing. Perhaps the high popularity of the *Venus and Adonis* of the year before prompted this. Despite the popularity of *Lucrece* among the moral-

minded and Puritan folk,⁴ its general popularity did not, so far as printed issues were concerned, equal that of *Venus and Adonis*: of *Lucrece*, during Shakespeare's own lifetime, five editions appeared, including that (inferior text) of 1616, the year of his death; of *Venus and Adonis* some ten editions appeared during his lifetime. The persistent recurrence of John Harrison's name as the bookseller on the title page of each edition before the one of 1616 suggests his absolute copyright control of *Lucrece* during Shakespeare's lifetime.

The Transcript of the Register of the Stationers' Company has the entry relative to *Lucrece* here given as Document 85.

[DOCUMENT 85]

[STATIONERS' REGISTER ENTRY CONCERNING *LUCRECE*, 1594]*

[1594] 9 Maij

| | |
|---------------------------|--|
| Master harrison Senior | Entred for his copie vnder th[e h]and of master Cawood Warden, a booke intituled <i>the Ravyshe- ment of Lucrece</i> vj ^d C |
|---------------------------|--|

* Arber, *Transcript*, II, 648.

When Richard Field printed *Venus and Adonis*, he assumed also the task of selling it and merely arranged with John Harrison to sell copies in his shop "at the signe of the white Greyhound." The *Venus* must have encouraged sales, for Harrison was willing to assume, in addition, the publisher's responsibility for *Lucrece*, and John Harrison's name, as bookseller, appeared on the title page of every edition up to and including the 1607 edition.

Shakespeare's dedication of *Lucrece* to the Earl of Southampton reads:

TO THE RIGHT HONOVABLE,
HENRY VVriothsley, Earle of South-
hampton, and Baron of Titchfield.

⁴ The popularity of the theme may account for the appearance of Thomas Middleton's *The Ghost of Lucrece* (1600). The rare and unique copy, now in the Folger Library, was published in facsimile and edited by J. Q. Adams in 1937. The poem is a rather dull and commonplace lament in which the outraged soul of *Lucrece* returns to complain and moralize upon its tragic and unsavory experience and dreadful fate.

The loue I dedicate to your Lordship is without end: wherof this Pamphlet without beginning is but a superfluous Moity. The warrant I haue of your Honourable disposition, not the worth of my vntutored Lines makes it assured of acceptance. VVhat I haue done is yours, what I haue to doe is yours, being part in all I haue, deuoted yours. VVere my worth greater, my duety would shew greater, meane time, as it is, it is bound to your Lordship; To whom I wish long life still lengthened with all happinesse.

Your Lordships in all duety.

William Shakespeare.

In Shakespeare's dedication of *Venus and Adonis* the year before, he addressed Southampton thus: ". . . if your

Honour seeme but pleased, I account my selfe highly praised, and vowe to take aduantage of all idle houres, till I haue honoured you vvith some grauer labour." That the Earl of Southampton was pleased is evidenced by the fact that Shakespeare dedicated his next poem, *Lucrece*, to the same popular Earl. Undoubtedly the "all idle houres" referred to the period of 1592-1594 when the plague was raging in London. During the interim, the dramatist was not writing for the theater but spent most of his time in composing *Venus and Adonis* and *Lucrece*. And evidently the promised "some grauer labour" was *Lucrece*, ready from his hand in May 1594, approximately thirteen months after the *Venus* was published.

Shakespeare's enthusiasm for his noble patron is expressed altogether in keeping with the Medieval conception of the eternal nature of love ("without beginning" and "without end," like Divinity itself) and of its operation in

terms of organic affinities. John Lyly (*Campaspe* iv, iv, 1-7) exemplifies fully this idea:

Apel. I haue now, Campaspe, almost made an end.

Camp. You told me, Apelles, you would never end!

Apel. Neuer end my loue; for it shal be eternal.

Camp. That is, neither to haue beginning nor ending?

Shakespeare declares, "The loue I dedicate to your Lordship is without end"; that is, his "loue" (sincere, holy, and reverent respect) was fundamentally eternal in its depth and scope. Then he adds "whereof [that is, of which 'loue'] this Pamphlet [diminutive of *Pamphilia*, a certain Latin poem of the twelfth century; hence he calls *Lucrece* a little poem] without beginning is but a superfluous [= overflowing <L. *super* = 'over' + *fluere* = 'to flow'] Moity [F. *moitié* <L. *medietas* = 'middle,' 'half']." In a word, Shakespeare's *Lucrece* was but a flowing-over of his "eternal" love for his patron, the noble Earl of Southampton. Next the poet implies that he has guaranty and assurance ("The warrant . . .") of the Earl's good grace toward him and is certain of *Lucrece*'s being accepted. Shakespeare makes it clear, however, that it was this good grace ("Your Honourable disposition") of the Earl toward him and not any "worth of my vntutord Lines" that "makes it assured of acceptance."

Once again, as in the dedication of *Venus and Adonis*, the poet minimizes his verse—"my vntutord Lines," whereas in the *Venus* he said "my vnpolisht lines." These statements, while somewhat conventional in the day of patrons and dedications, are, no doubt, suggestive of the more or less rapid composition of each of these poems—little revision and polishing having been provided in either instance. Rightly he minimizes his own worth: "VVere my worth greater, my ducty would shew greater."

In the third place, Shakespeare asserts his devotion and obligation to Southampton: "VVhat I haue done is yours, what I haue to doe is yours, being part in all I haue, deuoted yours."

Obviously, in this all-inclusive assertion, the medieval conception of "love" (devoted and reverential respect) is manifest. Mrs. C. C. Stopes (*The Life of Henry, Third Earl of Southampton, Shakespeare's Patron*, 1922, p. 64) sees in this dedication a direct and subtle reference to the motto on the Earl of Southampton's coat of arms: "*Ung par tout, tout par ung*." And finally, nothing could be more admirably appropriate to conclude this dedication than to wish his noble patron "long life still [= constantly] lengthened with all happinesse [that is, with no unhappiness]."

Popular as the story of *Lucrece* was before his own treatment of the theme, Shakespeare's poem of 1594 intensified its favor more than ever. It was essentially a lament, a medieval Church lament of a woman who grievously felt and knew that her own soul could never enter heaven because she had not given her very own life rather than be ravished. It had, thus, an essentially religious note. Accordingly, in the midst of growing Puritanism, the poem was quoted again and again; it was praised, it was plagiarized, it was imitated, it was objected to, and even a sequel was written to it. The Commonplace Books of the day—always the barometers of personal and general taste of the period—abound in quotations from *Lucrece*.

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XXXII

TRIBUTE TO SHAKESPEARE THE POET IN *WILLOBIE HIS AVISA*, 1594

REGISTERED with the Stationers' Company and at length published in 1594 was another work which throws light upon William Shakespeare. The full title page (oval inside of a square wood cut) of the original 1594 first edition (British Museum copy) of *Willobie His Avis*a reads thus: "Willobie / His / AVISA. / OR / The true Picture of a mo- / dest Maid, and of a chaste and / constant wife. / In Hexameter verse. The like argu- / ment whereof, was neuer hereto / fore published. / Read the preface to the Reader before / you enter farther. / A vertuous woman is the crowne of her husband, but / she that maketh him ashamed, is as corruption in / his bones. Prouerb. 12.4. / Imprinted at London by / Iohn Windet. / 1594."

The Stationers' Register entry for this *Willobie His Avis*a reads:

[1594] 3. Septembris

master windet Entred for his copie vnder th[e] h[an]des of master hartwell and the wardens A book entituled Willobie his avis or the true picture of a modest maid and of a chaste and constant wife. vj^d
Arber, *Transcript*, II, 659

It is a quarto with signatures [A-Q, R² (70 leaves). Five copies have been located: (1) British Museum (a perfect copy); (2) Britwell (Chalmers, perfect copy); (3) Clawson (Huth); (4) Folger (Warwick); (5) Williams. Editions of 1594, 1596 (?), 1605 (Britwell copy is unique), 1609 (Huntington copy is unique), and 1635 (British Museum copy is unique)—these suggest a degree of popularity—have been found. From the 1594 Folger copy and from the unique 1609 edition (Steeven's copy)

at Huntington Library the subsequent materials have been garnered. Copies of this *Willobie His Avis*a are as rare as First Folios.

*Willobie His Avis*a has been the subject of scholarly concern, and it has been critically edited a number of times: (1) Alexander Grosart's reprint (62 copies only, of the British Museum 1594 copy) of 1880; (2) the Spenser Society's 1886

"In praise of Willobie his Avis," as it stands in the Bodley Head reprint of the British Museum copy is here set down as Document 86.

The book consists mainly of short poems written by admirers in praise of Avis and her answers to those praises. At the beginning of each poem or canticle, enclosed in ornaments, are names or initials, which "covered, or

[DOCUMENT 86]

[STANZA 2 OF "IN PRAISE OF WILLOBIE HIS AVISA,
HEXAMETON TO THE AUTHOR," 1594]

*Though Collatine haue deerely bought,
To high renowne, a lasting life,
And found, that most in vaine haue sought,
To haue a Faire, and Constant wife,
Yet Tarquyne pluckt his glistering grape,
And Shake-speare, paints poore Lucrece rape.*

edition of the text only (1635 text; 200 copies); (3) the Charles Hughes reprint (500 copies; text based on Grosart edition), 1904, of the British Museum copy; (4) G. B. Harrison's reprint (Bodley Head quarto), 1926, of the British Museum 1594 copy. C. M. Ingleby's reprint, *Shakespeare Allusion-Book*, 1874, in the New Shakespeare Society publications, is but a short excerpt consisting of the prose part and the poems marked "H. W." and "W. S." immediately following; and his "General Introduction" (pp. xxviii-xxxi) has some reliable critical material. The Grosart, Hughes, and Harrison (in rear) editions have valuable introductions.

*Willobie His Avis*a has the distinction of containing the first direct mention of William Shakespeare by name. The second of the introductory stanzas signed "Vigilantius: Dormitanus" and entitled

rather revealed to contemporaries, persons of great importance." The portions which are of concern here are the prose passage introductory of "Cant. XLIII" and the initials "W. S.," appearing at the beginning of "Cant. XLVII." The prose passage, which has been interpreted as showing that Southampton and Shakespeare were both admirers of Avis and that there was rivalry between them for her favor, is here reproduced as Document 87.

Collier ("Life of William Shakespeare" in his edition of *Shakespeare*, 1858, p. 115) was the first to see "William Shakespeare" in this cryptic "W. S."; and Sir Walter C. Trevelyan (2 *Notes and Queries*, IX [Jan., 1860], 50-60) accredited actual authorship of *Willobie His Avis*a to Shakespeare, a theory which Grosart held quite improbable.

"Avisa" has been interpreted as the anagram for "Amans. exor. inuiolata. semper. amanda." = "A loving wife that never violated her faith is always to be loved," and has been dubbed merely a pleasant fiction. Hughes (1904), how-

reach of Henry Willoughby, who fell in love with her, learned to know her chastity and constancy, and wrote *Willobie His Avis* in praise of her as an English *Lucrece* in opposition to the Roman *Lucrece* written by "W. S." G. B. Har-

and in suggesting that the "W. S." refers to Southampton's friend, William Shakespeare, Harrison points out that it is not absolutely necessary that they should have known Avis. Both were well known, and the use of their initials would add to the interest of contemporary readers.

Just who Thomas or Henry Willoughby (the author?), Hadrian Dorrell (the editor?), etc., were is uncertain. Pedigrees of a Thomas and a Henry Willoughby (brothers?) may be found in the 1623 *Visitation of Wiltshire* (Bell & Sons, 1882). The abundant Dorrell pedigrees list no Hadrian Dorrell; he is not in the Oxford Register and not in Anthony à Wood's "Athenae," his "Fasti," or any other of his manuscripts (all in the Bodleian Library). It may be added that in the margin of a copy of William Clark's *Polimanteia* (1595) the name "Willobie" is listed with such names as Campion, Lodge, and Drayton, as one of those Oxford men who "are able to sing sweetly when it please thee."

A simplified and sane explanation of the authorship and editing of *Willobie His Avis* is the following: (1) Henry Willoughby was doubtless the actual author. (2) In 1596, when a second edition was issued, his brother, Thomas Willoughby, added a poem in which he mentions his brother as "*nuper defunctus*." (3) "Hadrian Dorrell" may have been fictitious; for it was not uncommon for young men of social standing in that time so to place their writings before the public. Gaseigne had done this very thing when he issued his *Poesies*; likewise Pettie when he issued *Petite Palace*; and also Googe, Perey, Greene, Donne, etc. The entire affair was thus a conventional and literary hoax. With a degree of safety it may be concluded that "W. S." was the popular love poet of the day, William Shakespeare.

[DOCUMENT 87]

[PROSE INTRODUCTION TO "CANT. XLIII," OF WILLOBIE HIS AVISA, 1594]

Henrico Willobego. Italo-Hispalensis.

H. W. [Henry Wriothesley, Earl of Southampton ?] being sodenly infected with the contagion of a fantastick fit, at the sight of A, pyneth a while in secret griefe, at length not able any longer to indure the burning heate of so feruent a humour, bewrayeth the secresy of his disease vnto his familiar frend W. S. who not long before had tryed the cur- / tesy of the like passion, and was now newly recovered of the like infection; yet finding his frend let bloud in the same vaine, he took pleasure for a tyme to see him bleed, & in steed of stopping the issue, he enlargeth the wound, with the sharpe rasor of a willing conceit, perswading him that he thought it a matter very easy to be compassed, & no doubt with payne, diligence & some cost in time to be obtayned. Thus this miserable comforter comforting his frend with an impossibilitie, cyther for that he now would secretly laugh at his frends folly, that had giuen occasion not only before vnto others to laugh at his owne, or because he would see whether an other could play his part better then himselfe & in vewing a far off the course of this louing Comedy, he determined to see whether it would sort to a happier end for this new actor, then it did for the old player. But at length this Comedy was like to haue growen to a Tragedy, by the weake & feeble estate that H. W. was brought vnto, by a desperate vewe of an impossibility of obtaining his purpose, til Time & Necessity, being his best Phisitions brought him a plaster, if not to heale, yet in part to ease his maladye. In all which discourse is liuely represented the vnrewly rage of vnbrayded fancy, hauing the raines to roue at liberty, with the dyuers & sundry changes of affections & temptations, which Will, set loose from Reason, can deuise. &c.

ever, held that it is not a fiction and that it has no such fanciful meaning as the Latin proverb suggests; moreover that its title refers not to the Latin *avis* ("bird") nor to Italian *aviso* ("advice"). Instead, he held that Avis was a real person (see Parish Register for 1575 at Mere), one Avys Forward, a daughter of an innkeeper who kept an inn within

rison ("An Essay on *Willobie His Avis*" in the Bodley Head quarto, 1926) believes that the book was the work of a young man from the university; that, under its moralizing exterior, were satirical allusions to contemporary events and persons; and that the inn of Avis was probably located in Sherborne. In identifying "H. W." with Southampton

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XXXIII

THE UNIQUE QUARTO *TITUS ANDRONICUS*, 1594

WITHOUT his name attached to it, in 1594, was issued William Shakespeare's *Titus Andronicus*, becoming thus the first of Shakespeare's plays to be printed.

Scholars are agreed that there was a version of *Titus Andronicus* before 1594; but the problem of the authorship of that play or version and the question of its relationship to the text of the Shakespearean version are moot questions. Strange's Men had performed a *Titus and Vespasian* as "ne"—which may signify "newly revised" as well as "new"—for Henslowe, from April 11, 1592, to January 25, 1593. Sussex's Men staged a *Titus Andronicus* as "ne" for Henslowe January 23, 1594, and played it until February 6 of the same year. A company composed of the Admiral's Men and the Chamberlain's Men played *Andronicus* for Henslowe on June 5 and on June 12, 1594.² Ben Jonson's "Induction" to *Bartholomew Fayre* (1614, but not printed until 1631) implied that *Titus Andronicus* had been on the stage twenty-five or thirty years.

It should be noted that the title page of 1594 lists these companies in this order: (1) "Earle of Darbie" [Strange], (2) "Earle of Pembroke," (3) and "Earle of Sussex"; whereas the quarto

title page of 1600 lists them in another order: (1) "Earle of Pembroke," (2) "Earle of Darbie," and (3) "Earle of Sussex," and adds (4) "Lorde Chamberlaine theyr Seruants."³

A. The title page of the 1594 *Titus Andronicus* is here given as Document 88.

ington, D.C. It is 17+ cm. by 12.9 cm. in size, has been slightly clipped, and at present has slightly deckled edges. The volume collates thus: [A¹] is a missing flyleaf, A² is the title page (A^{2v} is blank), A³-K⁽⁴⁾ (39 leaves). From the remains of some old glue on the back and from its slightly clipped condition, one may

[DOCUMENT 88]

[TITLE PAGE OF THE UNIQUE QUARTO *TITUS ANDRONICUS*, 1594]

THE / MOST LA- / mentable Romaine / Tragedie of Titus Andronicus: / As it was Plaide by the Right Ho- / nourable the Earle of Darbie, Earle of Pembroke, / and Earle of Suffex their Seruants. / [Danter's printer's device]* / LONDON, / Printed by Iohn Danter, and are / to be sold by Edward White & Thomas Millington, / at the little North doore of Paules at the / signe of the Gunne. / 1594.

* See McKerrow's *Printers' and Publishers' Devices in England and Scotland*, 1485-1640, 1913, No. 281.

The only known copy of this 1594 first quarto⁴ of *Titus Andronicus* is in the Folger Shakespeare Library at Wash-

² See E. K. Chambers' *Elizabethan Stage* and J. T. Murray's *English Dramatic Companies* for details of plays performed and duration of the existence of these several dramatic troupes.

³ For a discussion of the form of Renaissance books, the use of signatures, and other problems, see R. B. McKerrow's *Introduction to Bibliography for Literary Students*, 1927. Neither J nor W was used by Renaissance printers. This should be remembered in counting signatures involving letters after J and W.

¹ See W. W. Greg, *Henslowe's Diary* (2 vols., 1904-8), II, 148, for his interpretation of the meaning of the term "ne."

² *Ibid.*, I, 14-17, for these entries.

infer that it was once bound up with other materials in one volume. The watermark throughout is that of a pitcher (an English jug) or vase with the initials "N. B." The general condition, except for a few erasures in the text, is excellent; defects are rare and these are minor—one is on B². When the volume was purchased for £2,000 and brought to America in February 1905 it was believed to be still in its original

Elizabethan paper binding. The cover enclosing the little volume is light gray (with a bluish tinge) in color, a trifle spongy and coarse in texture, and only medium in thickness and weight. Inside this paper cover, in both the front and the back of the book, is an inserted white sheet of paper glued tight to the outside cover itself, thus forming a cover of two sheets of paper pasted together. When this "double" thickness of the cover, at both front and back, is held up before a strong light, there appear, between these two sheets thus glued together, some Swedish printed letters—and the date "1770." If this date is printed on the outside gray sheet (or cover), then the present covering cannot well be the original Elizabethan paper binding; if this date is printed on the white inserted sheet, then that part of the binding cannot well be the original direct from Shakespeare's own period. Until these two cover-sheets are taken apart and it is determined on which the Swedish letters and the date 1770 are printed, it cannot be absolutely certain that this unique book is in its original Elizabethan paper cover. It should be added that the outside grayish binding does not appear to be of the texture common to such Elizabethan quartos as the over, the Swedish letters and the date 1770 appear to be printed on this outside jacket.

In the private library of Charles Robson, in a small obscure village (Mahnö) near the University of Lund in Sweden, this long-sought 1594 first quarto of *Titus Andronicus*, which had been all but given up as probably not existing, came to light in December 1904 and was promptly secured by Mr. Folger.

Anticipation of this ultimate discovery was based upon a number of items. Meres, in his 1598 *Palladis Tamia*, mentioned this play as of Shakespeare's authorship. Ben Jonson, in 1614, in his "Induction" to *Bartholomew Fayre* (printed in 1631), implied that this play had been in existence for twenty-five or thirty years: "Hec that will swears, Ieronimo, or *Andronicus* are the best playes yet, shall passe vnexcepted at

heere as a man whose Iudgement shewes it is constant, and hath stood still these fine and twentie or thirtie yeeres. . . ." Heminges and Condell, in 1623, had included it as by Shakespeare in the First Folio. In 1687 the Preface to Edward Ravenscroft's "alter'd" version of the play expressed for the first time doubt as to Shakespeare's authorship of it. And in 1691 Gerard Langbaine's *Account of English Dramatick Poets* not only definitely assigned it to the great dramatist but mentioned a quarto of 1594. It was accordingly natural that throughout the nineteenth century the discovery in time of a 1594 *Titus Andronicus* was awaited.

This 1594 copy of Shakespeare's first published play shares honors with the 1593 first quarto of *Venus and Adonis* in the Bodleian Library as one of the two unique first quartos in the realm of Shakespeare rarities. Its relatively recent discovery in 1904 was as notable a literary rescue as the recovery in 1856 of the 1603 quarto of *Hamlet*.

On the rear inside flyleaf of this Folger

¹ Evold Ljunggren, Librarian of the University of Lund, collated (1905) this first quarto of 1594 with the second quarto of 1600. This critical collation shows that the text of Q 1 and Q 2 are substantially similar, except for minutiae and for the fact that Q 2 omits 3½ lines after l. i, 35. He asserts that Q 2 was printed from Q 1; Q 3 from Q 2; and the First Folio text from Q 3—with the addition of one whole scene (Scene iii, Act iii). Joseph S. G. Bolton, in his *The Authentic Text of Titus Andronicus* (Publications of the Modern Language Association, XLIV, 765-85), accepts Ljunggren's deductions as to the relations among Q 1, Q 2, Q 3, and the First Folio texts, completes a thorough analysis, and shows that Shakespeare (1) himself had no concern, directly or indirectly, with many modifications in editions after the first quarto of 1594. But particularly does Bolton point out that neither the Q 3 text nor the First Folio text derives directly from Q 1 (see his p. 768) and that there is no outstanding superiority of either Q 1 or Q 2 text. Moreover, he feels that Scene ii, Act iii, in the First Folio is definitely by Shakespeare. E. K. Chambers (1911), on the other hand, sees no signs of Shakespeare in this scene. Bolton, however, had access to but seven photographed pages of the 1594 text. Facsimiles of some of the pages appeared in Swedish periodicals in 1905; and pages 1 and 7 appeared in facsimile in *The Illustrated London News* for February 1905 (CXXVI, 185). It has now been published (J. Q. Adams, editor, 1936). See Evold Ljunggren, "A Unique Copy of the First Edition of Shakespeare's Earliest Tragedy" (*Athenaeum*, No. 4030, pp. 91-92, 156, January-February, 1905), for the first description of the unique copy of Shakespeare's first tragedy. An excellent collation of critical estimates of *Titus Andronicus* is that of E. K. Chambers in his *William Shakespeare*, I, 312-22.

unique quarto of *Titus Andronicus* are written what appear to be the names (perhaps holographic) of three different owners: (1) At the upper right, in a modern hand, is the name "Charles Robson"; lower down, and a bit more to the left, is (2) "äges nu af dess dotterson [.] P. M. Krafft [.] 1845"; and below this is (3) "äges nu af P. M. Krafft's son [.] Petrus Johannes Krafft [.] 1877." The last two are in scripts somewhat similar in style but not quite identical; but they are in a hand quite different from the "Charles Robson." A translation of the Swedish phrasing is: "owned now by that man's daughter's son P. M. Krafft 1845" and "owned now by P. M. Krafft's son Petrus Johannes Krafft 1877." On the front flyleaf, opposite the title page, are written (1) the name "Krafft" and also (2) "Petrus Johannes Krafft [.] 1877 [.] 17½"—the 17½ being the Swedish manner of writing February 12. This name on the front flyleaf is in a hand much after the fashion of the same names on the rear flyleaf. Beyond these names, nothing apparently is known of the history of the volume. It might be added that on the title page itself is the number "68," which, under a glass, appears to be written in the same hand with the same pen as "Petrus Johannes Krafft" which appears on the flyleaf opposite the title page.

Compared with the unique 1593 *Venus and Adonis* (Bodleian), the unique 1594 *Titus Andronicus* (Folger) is by no means so well printed. Richard Field, Shakespeare's friend, printed the former and John Danter of Hoosier Lane, in London, printed the latter. The inking of the type is rather uneven, and occasionally even blotchy. The type appears a bit worn and is defective in places. The alignment is often pretty irregular and uneven. There is notable irregularity in the running title "*The most Lamentable Tragedie of Titus Andronicus*": (1) "Lamentable" is "lamentable" on A^{11v}, A^{14v}, E^{8r}, F^{14v}, H^{14v}; (2) "Th emost" occurs on D^{3r}; (3) "Themost" recurs on C⁷, D⁷, E⁷, H^{2r}, on A^{14v}, F^{14v}, H^{14v}; (5) "Andronicus" occurs on G²; (6) the capital "T"

of *Tragedie* recurs in different forms; on A², E³, F¹, G^{1,2}, H^{1,2}, I^{1,2}, K^{1,2,3} the "T" is Roman, while on B¹⁻⁴, C¹⁻⁴, D¹⁻⁴, E^{1,2,3,4}, F^{2,3,4}, G^{2,4}, H^{2,3}, K² it is italicized. The "T" in *Titus* is Roman throughout.

The signature numbering is correct; and so are the catchwords, except that E² has "I" for "If" and G² has "But" for "Toine." Initial capitals for lines are not uniformly employed, nor are they always of the same form. Other peculiarities likewise suggest that the printing was not a first-class product of its day: The names of the characters are set in the middle of the pages on A²⁷–A¹⁴¹ and thereafter are conventionally placed at the left of the speeches, with the exception of I²⁷; and the stage directions tend to be set to the right rather than in the center of the page. With considerable regularity the name of the character preceding each speech is in italics; likewise the names of the characters within the speeches are printed in italics, but not with entire regularity. Joseph S. G. Bolton's "The Authentic Text of *Titus Andronicus*" (*Publications of the Modern Language Association*, XLIV, 765–88) is an excellent analysis of the many textual variations.

There are other characteristics of the printed copy which warrant mention. There is neither act division nor scene division (none of the quartos have act or scene division, and the First Folio begins *Actus Primus* and *Scaena Prima* but thereafter has only act divisions), though the scenes are rather definitely determined by the stage directions, which, from their rather frequent occurrence, suggest that a theater prompt-copy was used as copy by the typesetter. In addition to being fairly numerous, the stage directions are frequently personal in tone, imperative in places, and written directly for the physical stage of the day. Thus: "Enter aloft the Emperour with Tamora," B², and "they put him in the tombe," C. Often the balanced stage is indicated: "Enter Aron, Chiron, and Demetrius at one doore, and at the other doore young Lucius, . . ." G¹. Properties are frequently given: "Drums," "Trumpets," "Croune," "Coffin," "letter," "weapons." Also: "Enter a messenger

with two heads and a hand," F²; "Bookes vnder his Arme," "blackamore childe," "bows and arrows," "basket with two pigeons," "dishes," "knife," "Bason." There are many "exits" and a number of "alones." There is a frequent indication of the pageant-like and retinue procession: "sonnes," "Attendants," and "and others as many as can be," A¹⁴¹. But chief among the characteristics is the personal tone

quarto. Chambers believes that this fragment is more likely to be a perversion from Q 1 than to rest on any independent text.

C. The Register of the Stationers' Company has entries referring to *Titus Andronicus* given here as Documents 89, 90, and 91. A 1602 entry for *Titus Andronicus*, with "The first and Second parte of Henry the VIth" is to be found in chapter xxxiv, as Document 97.

[DOCUMENT 89]

[STATIONERS' REGISTER ENTRY RELATING TO *TITUS ANDRONICUS*, 1594]*

[1594] vj^{to} die februarii./

John Danter./ Entred for his Coppye vnder th[e h]andes of bothe the wardens a booke intituled a Noble Roman Historye of Tytus Andronicus vj^d

John Danter./ Entred alsoe vnto him by warraunt from Master Woodcock the ballad thereof vj^d

* Arber, *Transcript*, II. 644.

of the stage directions: "Titus two sonnes speakes"; "they all kneele and say"; "Enter Chiron and Demetrius braving"; "Stab him"; "handes cut off, and tongue cut out"; "He cuts off Titus hand"; "He writes his name with his staffe and guides it with fete and mouth"; "He cuts their throats"; "He stabbs the Emperesse." Throughout the play there is provision for structural balance: "Titus sons" versus "Tamoras sons."

B. In the Harley Papers (i. folio 159^v), the Marquis of Bath's manuscripts at Longleat, there is a calligraphic (not holographic) copy of two short passages from *Titus Andronicus*—I, i, 104–21; v, i, 125–44—linked by two and one-half lines not in any of the quartos nor in the First Folio. The many variants exhibited by the Harley manuscript and other interesting details concerning it are presented in E. K. Chambers' "The First Illustration to 'Shakespeare'" (*The Library*, 2d ser., V [1925], 306–30) and in his *William Shakespeare* (I, 315), and in the introduction (pp. 31–40) to Adams' facsimile of the 1594

From the Register entry of February 6, 1594, it is clear that John Danter, a London printer, had copyright in his own name of both the play *Titus Andronicus* and a ballad on the same subject. From the 1594 quarto title page we learn that the booksellers of the volume were Edward White and Thomas Millington. Now the Register is silent on the transfer of the copyright from Danter to Millington,* but on April 19, 1602, Millington assigned his rights in the play (see Document 97) to Thomas Pavier, known for his issue, with William Jaggard, of the 1619 Shakespeare quartos (see chapter ciii). The entries of December 14, 1624, to Pavier and several others, apparently are for "Ballades" only, one of which was "*Titus and Andronicus* [Andronicus]." On August 4, 1626, Thomas Pavier's widow assigned to Edward

* Danter was dead by 1600 and whatever right to the copy Millington may have possessed was based either on his sale of Danter's 1594 quarto or on an oral agreement with Danter's widow. While she felt he had a claim, because he brought out editions of 1600 and 1611. Moreover, Pavier did nothing about publishing the play, not even in his 1613 version.

Brewster and Robert Birde all the rights of her late husband "in Shakespere's plaies" and "His parte in any sorts of Ballads," one of which was "*Tytus and Andronicus*."

first edition of 1594: A¹-K⁴, a total of 40 leaves. Even this edition is rare; two copies are known: one in the University of Edinburgh (the one used by Neilson for his text of the play in the Cambridge

E. The title page of the third edition of *Titus Andronicus*, 1611, is here given as Document 93.

This third edition is on octavo paper: eight octavos in fours; A¹-K⁴, a total of 40 unpagged leaves. It appears that this is the only large octavo edition of a Shakespeare quarto before 1700. There is an Ashbee-Halliwell (1867) facsimile of it. Some fifteen copies are known: copies are in the British Museum, the Bodleian, Trinity College (Cambridge), Huntington Library, and the Yale Elizabethan Club. Steevens reprinted this edition in 1766.

F. The First Folio, 1623, the collection of plays accredited to the dramatist by Heminges and Condell, includes *Titus Andronicus* in the group of Shakespeare's tragedies (pp. 31-52, signatures cc⁴-cc⁷). Details of textual variations among the quartos of 1594, 1600, 1611, and the First Folio cannot be entered here. (The most scholarly analysis thus far made is that of Joseph S. G. Bolton, "The Authentic Text of *Titus Andronicus*," *Publications of the Modern Language Association*, XLIV, 765-80). The First Folio, however, contains one entire scene not included in any of the earlier quartos—Scene ii of Act III.

Critical attempts have been made to assign authorship of *Titus Andronicus* to nearly every Elizabethan dramatist of note—Kyd, Marlowe, Peele, Greene, and others—especially Peele.⁷ No one has

⁷ 11. Dugdale Sykes (*Sidelights on Shakespeare*, p. 125) confidently asserts that in *Titus Andronicus* "almost every page exhibits traces of Peele's vocabulary and phrasing." J. Q. Adams (*A Life of William Shakespeare*, p. 134) holds "*Titus Andronicus*, mainly, if not entirely, by George Peele." J. M. Robertson ("Did Shakespeare Write *Titus Andronicus*?" reprinted in *The Shakespeare Canon*) declares for composite authorship of Peele, Marlowe, Kyd, and Greene in varying proportions. Sidney Lee (*A Life of William Shakespeare*, 1916, p. 130) holds that "Ravenscroft's assertion deserves acceptance" and assigns its composition largely to Thomas Kyd. Virtually every scholar is convinced that if Shakespeare had any part in the writing of *Titus Andronicus* he merely revised it and that he provided the superior passages in the play. Bolton is equally certain that Scene ii of Act III (in the First Folio only) is definitely Shakespeare's. And E. K. Chambers (*William Shakespeare*, I, 312-22) hesitates to accept any decision as to authorship, in part or *in toto*, that is based on merely critical and esthetic taste; while Arthur Symonds ("Introduction," p. xvii, to the Praetorius facsimile of the 1600 quarto) maintains: "The closer we examine it, the more natural does the view become, and the more probable does it seem that in

[DOCUMENT 90]

[STATIONERS' REGISTER ENTRY RELATING TO
TITUS ANDRONICUS, 1624]*

14^o Decembris. 1624

| | |
|-----------------|---|
| Master Pavier | Entred for their Copies at a full Court holden 6 ^o |
| John Wright | <i>Novembris</i> . last, The Copies of the Ballades here- |
| Cutbert: Wright | after perticularly menconed. Provided that this en- |
| Edward. Wright | trance shall not preiudice any other man that have |
| John Grismond | any Interest to any of them by any former Entrance |
| Henry Gosson | or otherwise/ |

xx³./

Titus and Andconmus

* Arber, *Transcript*, IV, 131.

[DOCUMENT 91]

[STATIONERS' REGISTER ENTRY RELATING TO
TITUS ANDRONICUS, 1626]*

4^o Augusti 1626

| | |
|-----------------|--|
| Edward Brewster | Assigned ouer vnto them by Mistris Pavier and |
| Robert Birde. | Consent of a full Court of Assistentes all the es- |
| | tate right title and Interest which Master Thomas |
| | Pavier her late husband had in the Copies here |
| | after mencioned |

xxviii³.

viz^t

Master Paviers right in Shakesperes *plaies* or any of them

His parte in any sorts of *Ballads*

Tytus and Andronicus

* Arber, *Transcript*, IV, 164-65.

D. The title page of the second edition of *Titus Andronicus*, 1600, is here given as Document 92.

This second edition is in signature arrangement virtually a duplicate of the

Shakespeare); and the other (Bridge-water copy) in the Huntington Library, the edition employed for the Ashbee-Halliwell (1866) and the Praetorius (1886) facsimiles.

definitely assigned it *in toto* to any one of them; nor has any scholar asserted that the play is definitely by Shakespeare—a product of his earlier immature workmanship—as in the cases of *Henry VI* and *Love's Labour's Lost*. Ravenscroft in 1687 said in apology for having altered Shakespeare's *Titus*: "I think it a greater theft to Rob the dead of their Praise then the Living of their Money. That I may not appear Guilty of such a Crime, 'tis necessary I should acquaint you, that there is a Play in Mr. Shakespeares Volume under the name of *Titus Andronicus*, from whence I drew part of this [indeed Ravenscroft appropriated much of the first four acts and then increased the horrors of Act v]. I have been told by some [it is unfortunate that Ravenscroft did not identify these "some"—critics? scholars? men familiar with Elizabethan and Shakespearean drama?] anciently conversant with the Stage, that it was not Originally his, but brought by a private Authour to be Acted, and he only gave some Master-touches to one or two of the Principal Parts or Characters; this I am apt to believe, because 'tis the most incorrect and indigested piece in all his Works; It seems rather a heap of Rubbish then a Structure."

A re-estimate of the evidence of Shakespeare's authorship of *Titus Andronicus* is not wholly beside the point. The chief objections to Shakespeare's having written the play are: (a) His name does not appear on the title page of any of the three editions. (b) Ravenscroft declared that it was not originally Shakespeare's. (c) Its horrors, style, etc., are not those found to be characteristic of Shakespeare's later tragedies. (d) Some of the purple patches are so defi-

Titus Andronicus we have the work of an unknown writer revised by the young Shakspeare," and further that the play as a whole is absolutely un-Shakespearean. Elmer E. Stoll ("Introduction," pp. ix-xiv, to the Tudor edition of the play, 1913) sees more of Shakespeare in *Titus Andronicus* than his predecessors have detected, and declares: "Another character not in Peele's vein but decidedly in Shakespeare's is Young Lucius . . . and in his affectionateness and intrepidity, his eagerness to fight or to revenge his family's wrongs, and his somewhat plaintive and self-conscious pathos he is still more like Prince Arthur in *King John* and the young princes in *Richard III.*"

[DOCUMENT 92]

[TITLE PAGE OF QUARTO 2 OF *TITUS ANDRONICUS*, 1600]

The most lamenta- / ble Romaine Tragedie of *Titus / Andronicus*. / As it hath sundry times beene playde by the / Right Honourable the Earle of Pembroke, the / Earle of Darbie, the Earle of Suffex, and the / Lorde Chamberlaine theyr / Seruants. / [Ornament] / AT LONDON, / Printed by I. R. for Edward White / and are to bee solde at his shoppe, at the little / North doore of Paules, at the signe of / the Gun. 1600.

[DOCUMENT 93]

[TITLE PAGE OF QUARTO 3 OF *TITUS ANDRONICUS*, 1611]

[Ornament] THE / MOST LAMEN- / TABLE TRAGEDIE / of *Titus Andronicus*. / AS IT HATH SVNDRY / times beene plaide by the Kings / Maiesties Seruants. [Alde's printer's device]* / LONDON, / Printed for Eedward White, and are to be solde / at his shoppe, nere the little North dore of / Pauls, at the signe of the / Gun. 1611.

* See McKerrow's *Printers' and Publishers' Devices*, No. 284.

nately Shakespearean that the rest of it "cannot possibly be by Shakespeare."

Reasons for thinking that Shakespeare did write it are: First, Meres (1598) definitely ascribes *Titus Andronicus* to Shakespeare. Though his name is not on any of the three earlier quartos, the play is accredited to him by its inclusion in the First Folio (1623) by Heminges and Condell, the "book-keepers" of Shakespeare's dramatic company who were in the best position to know what Shakespeare had written for it. Langbaine, in his *English Dramatick Poets* (1691) definitely credits the play to Shakespeare and makes light comment*

* It is best to quote in full, from the rather inaccessible original Langbaine, *English Dramatick Poets* (here from the copy in the Huntington Library), the passage on *Titus Andronicus*: "Titus Andronicus his Lamentable Tragedy: This play was first printed 40. Lond. 1594. and acted by the Earls of Derby, Pembroke, and Essex [error for "Sussex" in the 1594 quarto], their Servants. 'Twas about the time of the Popish-plot revived and altered by Mr. Ravenscroft. In his Preface to the Reader, he says (q), That he thinks it a greater theft to rob the Dead of their Praise than the Living of their Money: Whether his Practice agree with his Protestation, I leave to the Comparison of his Works, with those of Molliere:

and whether Mr. Shadwell's Opinion of Plagiaries, reach not Mr. Ravenscroft, I leave to the Reader. I (says he (r) ingeniously) freely confess my Theft, and am asham'd on't; tho' I have the Example of some that never yet wrote a Play, without stealing most of it: and (like Men that Lye so long, till they believe themselves) at length by continual Thieving, reckon their stolen Goods their own too: which is so Ignoble a thing, that I cannot but believe that he that makes a common practice of stealing other Men's Wit, would, if he could with the same Safety, steal anything else. Mr. Ravenscroft, in the Epistle to *Titus*, says, That the Play was not originally Shakespeare's, but brought by a private Author to be acted, and he only gave some Master-touches to one or two of the principal Parts or Characters: afterwards he boasts his own pains: and says, That if the Reader compare the Old Play with his Copy, he will find that none in all that Author's Works ever receiv'd greater Alterations, or Additions; the Language not only refined, but many Scenes entirely new: Besides most of the principal Characters heightened, and the Plot much encreased. I shall not engage in this Controversy; but leave it to his Rivals in the Wrack of that Great Man, Mr. Dryden, Shadwell, Crown, Tate, and Duffie. But to make Mr. Ravenscroft some Reparation, I will here furnish him with part of his Prologue, which he has lost; and if he desire it, send him the whole.

To day the Poet does not fear your Rage,
Shakespear by him reviv'd now treads the Stage:
Under his sacred Laurels he sits down
Safe, from the blast of any Criticks Frown.
Like other Poets, he'll not proudly scorn
To own, that he but unwinnows Shakespeares
Corn:
So far he was from robbing him of's Treasure,
That he did add his own, to make full Measure."

on Ravenscroft's account, with which Langbaine was acquainted.

The denial of Shakespeare's authorship of the play on the ground that it is too horrible and hence unlike Shakespeare is, in itself, offset by the fact that there is blood and horror in others of Shakespeare's tragedies: a King John brutally burns out a little prince's eyes; a King Lear gouges out an old man's eyes; a Macbeth heartlessly murders an innocent old man; *Hamlet* reeks with the gore of slayings and murders in its fifth act. *Titus Andronicus* goes little beyond these. Granted that Shakespeare's later tragedies—he did most of his earlier experimental work in comedies and histories—are more mature and hence less melodramatic, *Titus Andronicus* cannot well be objected to on that ground. The popular audience of 1590 to 1600 craved strong food and the dramatists fed it what it craved.

The statement that *Titus Andronicus* is the work of some two or three collaborators, on the ground that there are several styles in the plays and that there is intermingling of good and very mediocre, if actually not commonplace, parts—and hence it is not the work of any one author, and certainly not Shakespeare's—is somewhat offset by the facts that there is no more unevenness of style and quality in this play than there is in many of Shakespeare's other plays of a tragic sort, and actually, in the light of the kind of play and the period of its composition, *Titus Andronicus* exhibits much more uniformity than one but poorly acquainted with it would think.

The general objection that *Titus Andronicus* is not Shakespeare's because in tone, materials, spirit, and phrasing it is not like his later tragedies is offset by the fact that *Love's Labour's Lost* is not like his later comedies either. *Titus Andronicus*, in the respects above indicated, is no farther removed from Shakespeare's mature tragedies than *Love's Labour's Lost* or *The Comedy of Errors* are removed from *Twelfth Night* and *The Tempest*. Nor is *Henry VI*—most scholars would like to have it by some other than their favorite bard—more removed from the later histories than

Titus is removed from Shakespeare's later more mature tragedies. Marlowe's *Tamburlaine* (1588) is altogether melodramatic and stacy in contrast to his later and more mature *Edward II* (1592). The best and greatest authors have each had an early period of inferior achievement, often one that seems quite irreconcilable with his later career.

G. An interesting item of the *Titus Andronicus* material is the title page of Ravenscroft's 1687 revision, here quoted:

"Titus Andronicus, / Or the / Rape of Lavinia. / Acted at the Theatre Royall, / A Tragedy, / Alter'd from Mr. Shakespeares Works, / By Mr. Edw. Ravenscroft. / Licensed, / Dec. 21, 1686. R. L. S. / London, / Printed by J. B. for J. Hindmarsh, at the Golden-Ball / in Cornhill, over against the Royall-Exchange. 1687."

This edition is a quarto: A¹-H¹ in a total of 32 leaves. Most of the plot and much of the text are directly from Shakespeare. Ravenscroft's chief alterations are in Act v, where the horrors of the Elizabethan version are actually intensified. Copies are in the British Museum, the Boston Public Library, and Folger Shakespearean Library. It is to be noted that this Ravenscroft edition is the first the title page of which accredited the play to Shakespeare.

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XXXIV

EARLY ISSUES OF *HENRY VI*, PARTS II AND III, 1594, 1595

THERE are two plays declared by some scholars to be old plays revised by Shakespeare for his *Henry VI*. They are *The First Part of the Contention betwixt the Two Famous Houses of Yorke and Lancaster* (1594) and *The True Tragedie of Richard Duke of Yorke* (1595).¹

A. The Stationers' Register contains an entry of *The Contention* here given as Document 94. And the title page of the published quarto is given as Document 95.

This first quarto is in signatures A-H⁴, a total of 32 leaves unpagged. Only some four copies are known: (1) Bodleian Library (Tyssen-Heber); (2) Elham

Church; (3) Folger Library (Mostyn-Perry); (4) Boston Public Library. After quarto issues of 1594, 1600, 1619 (Pavier), what is clearly a revised form of this play was included as *Henry VI, Part II*, in the (1623) First Folio. Edited by J. O. Halliwell-Phillipps, it was reprinted in 1843 by the Shakespeare Society; likewise Halliwell-Phillipps included it in his edition of Shakespeare's works in 1853-1865; and the Cambridge editors included it in their edition of 1863-1866.

Neither the 1594 nor the 1600 edition attributed the play to Shakespeare; but when this play was combined with *The true Tragedie of Richard Duke of Yorke . . .* in 1619 (Pavier) and together entitled *The Whole Contention . . .*, "Written by William Shakespeare, Gent" appeared as the author.

The early editions of *The First part of the Contention betwixt the two famous Houses of Yorke and Lancaster . . .* are as follows:

1594 *Quarto 1* Thomas Creed for Thomas Millington. The author's name was not on the title page.

Copies are rare: Bodleian, Folger, Boston Public Library, Elham Church

1600 *Quarto 2* Valentine Simmes for Thomas Millington. The author's name was not on the title page. Copies are in the Bodleian Library (two), Trinity College (Cambridge), Huntington Library (two: Bridgewater and Devonshire)

[1619] *Quarto 3* For Thomas Pavier. No date on the title page. "Written by William Shakespeare, Gent." There are alterations in the text from that of 1594 and of 1600. In this Pavier 1619 edition *The First part of the Contention* and *The true Tragedie of Richard Duke of Yorke* formed a single publication called *The Whole Contention*, etc. Many copies are known; copies are in Huntington and Folger libraries. (For the Pavier quartos, see chapter ciii, Volume II)

1623 *First Folio* Its "Catalogue" listed what clearly is a revision of this play as *Henry VI, Part II*.

B. The title page of the 1595 *The True Tragedie* is here given as Document 96.

¹The most compact and the sanest recent discussion of revision, collaboration, and independent authorship in Elizabethan drama is that of E. K. Chambers' *William Shakespeare*, I, chap. vii. Greg's edition of *Henslowe's Diary* (1904, 1908) is indispensable in this connection.

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[DOCUMENT 94]

[STATIONERS' REGISTER ENTRY OF *THE CONTENTION*, 1594]*[1594] xiv^o marcijThomas mylling-
ton

Entred for his copie vnder the handes of bothe the
wardens / a booke intituled, *the firste parte of the
Contention of the twoo famous houses of York
and Lancaster with the deathe of the good Duke
Humfrey and the banishment and Deathe of the
Duke of Suffolke and the tragicall ende of the
proud Cardinall of Winchester / with the notable
rebellion of Jack Cade and the Duke of Yorkes
ffirste clayme vnto the Crowne* vjd

* Arber, *Transcript*, II, 646.

[DOCUMENT 95]

[TITLE PAGE OF *THE CONTENTION*, 1594]

THE / Firſt part of the Con- / tention betwixt the two famous
Houſes of Yorke / and Lancaſter, with the death of the good /
Duke Humphrey: / And the baniſhment and death of the Duke of
/ Suffolke, and the Tragicall end of the proud Cardinall / of VVin-
cheſter, vvith the notable Rebellion / of Iacke Cade: / And the
Duke of Yorkes firſt elaim vnto the / Crowne. / [Creed's printer's
device]* LONDON / Printed by Thomas Creed, for Thomas Mill-
ington, / and are to be ſold at his ſhop vnder Saint Peters / Church
in Cornwall [Cornhill?]. / 1594.

* R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 229.

[DOCUMENT 96]

[TITLE PAGE OF *THE TRUE TRAGEDY*, 1595]

The true Tragedie of Richard / Duke of Yorke, and the death of
good King Henrie the Sixt, / with the whole contention betweene /
the two Houſes Lancaſter / and Yorke, as it was ſundrie times /
acted by the Right Honour- / ble the Earle of Pem- / brooke his
ſeruants. / [Millington's device]* Printed at London by P[eter]
S[hort] for Thomas Milling- / ton, and are to be ſold at his ſhoppe
vnder / Saint Peters Church in / Cornwal [Cornhill?]. 1595.

* R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 302.

This is in signatures A-E⁸ (a total
of 40 leaves unpagged). The unique
copy (Pegge-Chalmers) is the rare pos-
session of the Bodleian Library. Edited
by Barron Field, it was reprinted in 1844

for the Shakespeare Society. J. O. Halli-
well-Phillipps included it in his folio
edition of Shakespeare's works in 1853;
likewise the Cambridge editors included
it in their edition in 1863-1866. After

issues of 1595, 1600, 1619 (Pavier), what
is clearly a revision of it was included as
Henry VI, Part III, in the 1623 First
Folio.

The name William Shakespeare was
not on the title page of either the 1595
or the 1600 quarto; but when this play
was combined with *The First part of
the Contention* in 1619 (Pavier) and
made into a double quarto entitled *The
Whole Contention*, "Written by Wil-
liam Shakespeare, Gent" was included.

It is 3 *Henry VI*, i, iv, 137 that Greene
parodied in *Groats-worth of Witte*, a
fact which shows this play was in exist-
ence before Greene's death on Septem-
ber 3, 1592. The title page makes this
play one of the "Earle of Pembroke
his seruants," concerning which dra-
matic company nothing documentary
is known before the winter of 1592-93.

The early editions of *The true Trage-
die of Richard Duke of Yorke and the
death of good King Henrie the Sixt*,
. . . . are as follows:

1595 *Quarto 1* P[eter] S[hort] for
Thomas Millington. The author's
name is not on the title page. The
unique copy (Pegge-Chalmers) is
in the Bodleian Library.

1600 *Quarto 2* W[illiam] W[hitte] for
Thomas Millington. The author's
name is not on the title page. (Halli-
well-Phillipps' *Calendar of Shake-
spearean Rarities*, No. 9, asserts that
"only about six copies are known.")
Copies are in British Museum (Stee-
vens), Bodleian Library, Boston Pub-
lic Library, Huntington Library.

1619 *Quarto 3* For Thomas Pavier. No
date on the title page. "Written by
William Shakespeare, Gent." There
are alterations in the text from that
of 1595 and of 1600. This publica-
tion of *The true Tragedie of Rich-
ard Duke of Yorke* and the Pavier
1619 quarto *The First part of the
Contention betwixt the two famous
Houses of Yorke and Lancaster* was
a single quarto called *The Whole
Contention*, etc. Many copies are
extant; copies are in Huntington
and Folger libraries.

1623 *First Folio* Its "Catalogue" listed
what may be a revision of this play
under the title of *Henry VI, Part
III*.

C. In 1602 Thomas Pavier entered in the Stationers' Register a group of plays including "*The first and Second parte of Henry the VI* [h]." The entry is here given as Document 97.

The title page of Thomas Pavier's subsequent (1619) publication including both *The Contention* and *The True Tragedie* and entitled *The Whole Contention* is here given as Document 98.

This double quarto (note that its title page combines the essentials of the two earlier plays of 1594 and 1595) is in signatures A¹-Q⁴ with leaves unpagged. Copies are rather plentiful: British Museum, Bodleian Library (7¹/₈ by 4⁷/₈ inches), Boston Public Library, Trinity College (Cambridge), New York Public Library, Folger, and Huntington libraries. C. A. Greer ("The York and Lancaster Quarto-Folio Sequence," *Publications of the Modern Language Association*, XLVIII, 691) asserts, however, that "a careful analysis convinces me that the *Whole Contention* of 1619 was not printed from the *Contention* and the *True Tragedy* as we now have them" and cites convincing evidence to support his theory. He declares (p. 694): "we cannot believe that Pavier printed his *Whole Contention* from the older *Contention* and *True Tragedy*. Equally apparent is it that *Henry VI, Part II*, and *Henry VI, Part III*, did not come from the *Whole Contention*." There is no date on the title page; but the "two Parts" are datable by the continuity of their signatures with those of *Pericles* (in the same group of Pavier quartos) dated 1619.

George Steevens, in 1766, reprinted it; likewise Charles Knight, in his pictorial edition of Shakespeare's works. Sir E. K. Chambers (*William Shakespeare*, I, 216) asserts that the text of *The Whole Contention* is a reported one and never could have been written as it stands; moreover that it was not the basis for Part II and Part III of *Henry VI* as they appear in the First Folio.

See chapter ciii (Volume II) on the Pavier 1619 quartos.

D. Of *Henry VI, Part I*, there is no quarto extant; seemingly none was ever issued and it was printed for the first

time in the First Folio (1623). It has been conjectured that the *Henry VI*, acted March 3, 1592 by Lord Strange's Company, at the Rose Theatre on the Bankside, may have been this play. Nashe's statement that Talbot had been

son, in his Cambridge edition of Shakespeare (p. 633) thus summed up the evidence:

The material thus obtained was treated with great freedom. Verbal borrowings are very rare, and chronological sequence

[DOCUMENT 97]

[STATIONERS' REGISTER ENTRY OF PARTS OF *HENRY VI*
TO THOMAS PAVIER, 1602]*

[1602] 19 aprilis

Thomas pavier Entred for his copies by assignement from Thomas millington these bookes folowinge, *Saluo Jure cuiuscunque*

viz

A booke called *Thomas of Reading* vjd*The first and Second parte of Henry the VI* [h] ij bookes xij^dA booke called *Titus and Andronicus* vjd

Entred by warrant vnder master Setons hand

* Arber, *Transcript*, III, 204.

[DOCUMENT 98]

[TITLE PAGE OF PAVIER'S PUBLICATION ENTITLED
THE WHOLE CONTENTION, 1619]

THE / Whole Contention / betweene the two Famous / Houses,
Lancaster and / Yorke / *With the Tragical ends of the good*
Duke / Humfrey, Richard Duke of Yorke, / *and King Henrie the*
/ sixt. / Diuided into two Parts: And newly corrected and / enlarged.
Written by *William Shake-* / *peare*, Gent. / [Jaggard's device]* Printed at London, [by Isaac Jaggard] for T[homas] P[avier] [1619]

* R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 283.

a popular character in a recent play likewise has been conjectured to relate to *Henry VI, Part I*. That the play, taken largely from the Holinshed and Halle chronicles, was not intended to be a faithful portrayal of historical facts becomes obvious when one compares it with actual history. William Allen Neil-

is often entirely disregarded. Thus the calamities to the English reported by the First Messenger in i. i. as having occurred by the date of the funeral of Henry V in 1442 are either quite unhistorical, as in the case of the loss of Orleans and Poitiers, which were not held by the English at that time, or are antedated by from seven to twenty-nine years, as in the case of the

loss of Rheims, Guisors, Paris, and Guienne. Again, Talbot's death in the drama precedes the capture of Jeanne d'Arc; but in fact he lived till 1453, while the Maid was burned in 1431. The reconciliation which she is represented as bringing about between Burgundy and Charles VII did not occur till four years after her death. Nor is there more care for internal consistency. Paris is represented as lost by the English in i. i., yet Henry VI is crowned there in iv. i., and in v. ii. the Parisians are revolting to the French. Several picturesque incidents have no basis in the chronicle. Such are the interview of Talbot with the Countess of Auvergne in ii. iii., and the plucking of the roses in iii. iv. 28-35, with its sequel in iv. i. 78-161. The device of disguising soldiers as countrymen bearing sacks for the capture of Rouen is unhistorical. Rouen was not lost by the English till 1449; but a trick similar to that in the play is described by Holinshed as having been used by the French for the capture of Cornhill in 1441.

Scholars are now pretty much in agreement that William Shakespeare had no hand whatever in writing any part of the original *Contention* or of the original *True Tragedy*. But they are similarly in agreement that the great dramatist's Parts II and III of *Henry VI* are his own rather independent re-workings of the *Contention* and of the *True Tragedy*—and that Part I of *Henry VI* is entirely his own product. From their critical enumerations it is evident that Shakespeare's revisions of the *Contention* and of the *True Tragedy* were tantamount to writing new plays in his Parts II and III of *Henry VI* as they appear in the First Folio and there ascribed to him. They were scarcely mere revisions only, when, out of a total of 5,977 lines of the two plays, 2,735 disappear entirely and 1,711 are actually changed!

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XXXV

SHAKESPEARE AS ONE OF THE LORD CHAMBERLAIN'S
SERVANTS, 1595

THE Public Record Office has a manuscript, identified as Pipe Office, Declared Accounts, No. 542, folio 207b, which shows Shakespeare to have been one of "the Lord Chamberlain's servants." The entry is for March 15, 1595. The Chamberlain's Men were under the patronage of Lord Hunsdon. Henry Carey, first Lord Hunsdon, was Lord Chamberlain from 1585 until his death on July 22, 1596. After Henry's death, his son George was appointed to the position of Lord Chamberlain on March 17, 1597. The record is here given as Document 99.

This is the record of a payment, made by the Lord Treasurer on March 15, 1595 (the document reads "1594," because of the use of old-style dating) for performances on St. Stephen's Day (December 26), and St. Innocent's Day (December 28). The latter is usually assumed to be an error for December 27, because there is a record of a payment to the Admiral's Men for a performance on December 28 and because the Chamberlain's Men acted a play, probably *The Comedy of Errors*, as part of the holiday revels for Gray's Inn and its guests, the members of the Inner Temple, on December 28.¹

In accordance with the general practice, the payment was made to Kempe, Shakespeare, and Burbage as representatives of the company, and the mention of these names merely means that they were important men in the company. This is the only instance in which Shakespeare's name is mentioned in records of performances; although many rec-

ords have been discovered of performances in London and in the provinces by the Lord Chamberlain's Men, some of which were of Shakespeare's plays.

The first company with which Shakespeare can be connected by documentary evidence is the Lord Chamberlain's Men. Prior to 1594 he may have been associated with either the Lord Pembroke's Men or the Lord Strange's Men

with College), nor in the list of players belonging to that company in the special traveling license granted in 1593 by the Privy Council (see J. R. Dasent, *Acts of the Privy Council of England*, 1890-1907, XXIV, 212, or E. K. Chambers, *Elizabethan Stage*, 1923, II, 123), nor in the meticulously kept accounts of Philip Henslowe, who managed the affairs of the company from the spring of 1592 to

[DOCUMENT 99]

[RECORD OF SHAKESPEARE AS ONE OF THE LORD
CHAMBERLAIN'S SERVANTS, 1595]

To Willm Kempe Willm Shakespeare & Richarde Burbage seruaunts to the Lord Chambleyne vpon the councelles warrant dated at Whitehall xv^{to} Martii 1594 for twoe seuerall comedies or Enterludes shewed by them before her Matie in xp^mas tyme laste paste viz^d vpon St Stephens daye & Innocentes daye xiiij^l vj^s viij^d and bye waye of her mates Rewarde vj^l xiiij^s iiij^d in all xx^{li}.

(Strange was the Earl of Derby after September 25, 1593). Because so many of the members of Strange's company passed to the Lord Chamberlain's company during the theatrical reorganization which followed the reopening of the theaters after the plague, it has frequently been held that Shakespeare's early dramatic activities were with that group. However, his name is not mentioned in the list of players of that company in the plot² of *The Seven Deadly Sins*, dated 1592 (manuscript at Dul-

the late summer of 1594 (see *Henslowe's Diary*, 2 vols., 1904-8 and *Henslowe's Papers*, 1907, both edited by

in details, they always include the names of the actors and their entrances and exits. Other stage business was sometimes added, and lines across the paper marked the points at which the stage was clear.

Of Elizabethan players' parts, only one is extant, that of Orlando in *Orlando Furioso*, played by the actor Edward Alleyn. The lines of each actor were copied out on fairly uniform pieces of paper, which were pasted together to make a roll. The last line preceding and the first line succeeding each speech were also included. In connection with this type of manuscript see also Greg, *Two Elizabethan Stage Arrangements: "The Battle of Alcazar" and "Orlando Furioso,"* 1923.

Greg (*Dramatic Documents*) also presents the Renaissance prompt books which are extant, with brief comments on their characteristics. No prompt book of a Shakespearean play or Shakespearean revision (except perhaps *Sir Thomas More*; see A. W. Pollard and others, *Shakespeare's Hand in "Sir Thomas More,"* 1923) is in existence; but John Dover Wilson discusses the characteristics of the prompt copy of Shakespeare's plays in his critical introductions to the various plays in the New Cambridge edition.

¹ See *Gesta Grayorum*, edited by W. W. Greg for the Malone Society, 1916, pp. 20-22; Chambers (*William Shakespeare*, II, 319 ff.) gives a list of the recorded performances for the Lord Chamberlain's Men and later the King's Men.

² This plot, in addition to other Elizabethan dramatic documents, is reproduced in facsimile with a transcript by W. W. Greg in *Dramatic Documents from the Elizabethan Playhouses. Stage Plots: Actors' Parts: Prompt Books* (1931, Volume II). A "plot" consisted of a large piece of paper on which were written directions for the actors taking part in a play. The paper was mounted and probably hung in a convenient place backstage during performances and rehearsals. Although the extant "plots" vary

W. W. Greg). Furthermore, none of Shakespeare's early plays—*Love's Labour's Lost*, *The Comedy of Errors*, *The Two Gentlemen of Verona*, *Romeo and Juliet*, *Henry VI, Parts II and III*, *Richard II*, *Richard III*, and *Titus Andronicus*³—appear to have been performed by Strange's Men, who acted at the Rose Theatre and at Newington Butts.

That Shakespeare was connected with Pembroke's Men is supported by the following facts: (1) Pembroke's acted some of his early plays, *Titus Andronicus*, and *Henry VI, Parts II and III*; (2) some of Shakespeare's early work shows the influence of Christopher Marlowe,

the chief playwright for Pembroke's from 1590 to 1594; and (3) a newly organized or reorganized company would be more likely to take in a new man (see Chambers, *Elizabethan Stage*, Vol. II, for accounts of Pembroke's Men and other dramatic companies). Adams (*Life*, chapter viii) supports this view.

Whatever Shakespeare's dramatic activity prior to 1594, it is definitely known that he was an important member of the Chamberlain's Men from 1594 to 1603 and that after 1603 he continued with that company, then created The King's Men by royal patent (see chapter lxvii, Volume II).

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XXXVI

THE BURIAL OF HAMNET SHAKESPEARE, 1596

THE YEAR 1596 brought sorrow to the family of William Shakespeare. The Stratford-on-Avon Parish Register has among "Burials" the entry here given as Document 100.

perhaps Shakespeare was himself present at the graveside, his dramatic company was in the country far from London and from Stratford; the local town record at Faversham in Kent has the entry: "It[e]m payde to my Lorde of

July 22, 1596, the date of the death of Hunsdon, the Lord Chamberlain, to March 17, 1597, Shakespeare's company was known as Lord Hunsdon's Men. On the latter date George, Hunsdon's son, was appointed Lord Chamberlain and his company again assumed that title.

There are no details concerning the short life of Hamnet Shakespeare, who had been baptized along with his twin sister, Judith, in 1585 (see chapter xxvii). See also page 212 in chapter xxxvii; and Edgar I. Fripp, *Shakespeare Man and Artist*, 1938, I, sec. 71.

[DOCUMENT 100]

[STRATFORD PARISH REGISTER ENTRY OF THE
BURIAL OF HAMNET SHAKESPEARE, 1596]

[1596]

August 11 Hamnet filius William Shaksper

It was on August 11, 1596, that the oldest son, Hamnet, of the oldest Shakespeare son, William Shakespeare, was interred¹ in the Stratford Church or churchyard, probably the latter. While

Hunsdons players aboute Lamas [August 1] bye thappoyntmente of Mr Sakcr xvi^s. During the period from

¹ When Ben Jonson's son died later, he wrote in a tender elegy:

"Farewell, thou child of my right hand and joy.

My sin was too much hope of thee, loved boy . . .

Rest in soft peace; and asked, say: 'Here doth lie

Ben Jonson his best piece of poetry.'"

William Shakespeare has not left us any tender elegy written especially for the occasion, but his Constance

in *King John* (composed about 1595-96) on the death of her son says:

"Grief fills the room up of my absent child,
Lies in his bed, walks up and down with me;

Puts on his pretty looks, repeats his words,
Remembers me of all his gracious parts,
Stuffs out his vacant garments with his form."

(III, iv, 93-97)

"Dear boy,
Of Nature's gifts thou may'st with lillies boast
And with the half-blown rose."

(III, i, 51-52)

Constance's grief is agonizing. Shakespeare's may have been equally heart-rending. In his plays always, toward children he is tender, admiring, adoring.

³ It should be noted in this connection that Strange's Men did act *Titus and Vespasian* in 1592 and 1593 and that the title page of *Titus Andronicus* (1594) reads: "As it was Plaide by the Right Honourable the Earle of Darbie, Earle of Pembroke, and Earle of Sussex their seruants." The reason for the inclusion of Derby's (Strange's) Men on this title page may have been their performance of *Titus and Vespasian*.

XXXVII

A COAT OF ARMS FOR JOHN SHAKESPEARE, 1596

TWO documents have been preserved relating to early activities of John Shakespeare to secure from the College of Arms a family coat of arms. Both are important as indicating the rise of the Shakespeare family in the social scale and the ambitions realized in full by William Shakespeare.

A. The document first here dealt with, listed in the College of Arms in London as Vincent MS 157, Article 23, is a single sheet of paper approximately 11 by 11 inches in size. It shows two longitudinal folds clear across the sheet about equally distant (some four inches apart), and also a heavy perpendicular fold to the right of the center of the document. On this latter fold, below the middle, a quantity of the paper has decayed and dropped out, so that a number of words are missing. These may in part be supplied from Vincent MS 157, Article 24, of which this manuscript is obviously but a preliminary draft. The greater part, however, of the missing material may be supplied from the 1599 Arden impalement manuscript (College of Arms MS R. 21; see chapter liii). On the right upper-center edge small parts of the manuscript are wanting, and here likewise some words are missing.

The document has a goodly number of erasures, deletions, and interlineations. The entire document, seemingly, was written hastily—a sort of rough draft of a “fair copy” to be made from it. There is but little margin at either the right or the left. The twenty-seven lines and the interlineations are in Old English script with the proper names, as was the contemporary custom in written legal documents, in bold clear Italian script.

At the upper left, as a part of the document, is a simplified “tricking” of

the coat of arms granted to John Shakespeare. A reduced facsimile of this feature, in color, is in Stephen I. Tucker’s *The Assigment of Arms to Shakespeare and Arden 1596–99* (1884), p. 5, and another facsimile, also reduced, is in *2 Miscellanea Genealogica et Heraldica*, Volume I (1886), section 6, p. 109. Transcripts have been made by Stephen Tucker (*op. cit.*, pp. 5–6), by Malone (*Variorum*, 1821, II, 541–44), by Halliwell-Phillipps (*Outlines*, II, 56), and by Tucker Brooke in his *Shakespeare of Stratford* (1926, pp. 15–16).

The two copies (the preliminary and the fair copy) of the 1596 draft are reproduced in this work in facsimile. A transliteration of the preliminary draft, with words spelled out, the added letters being enclosed in brackets, is here presented as Document 101.

William Dethick, not the learned William Camden (who joined the College of Heralds later in 1597), apparently issued this grant. The transcript here given includes all the deletions, erasures, and interlineations of the original: they are illuminating in that they reveal the process by which the document was built up in the light of information as it was provided. It is from the original manuscript in the College of Arms—thanks to Arthur Cochrane, *Chester Herald*, in 1925–26—and from an especially executed full-size photograph of the original manuscript.

Examination of the original script shows that the erasures and interlineations are made by the same hand and with the same pen as the lines on and between which they appear. This examination hence does not support Stephen I. Tucker when he writes (*op. cit.*, p. 5, n.): “The words *Mary*, *Robert*, *Wilmcote*, and *said* in this line [20] are additions, in a different hand and ink, probably by Shakespeare himself, as they

fill blanks obviously left for family information.” It is unlikely that there is more than one handwriting in this entire document despite (1) the three different “Non, Sanz Droict,” “non, sanz droict,” and “NON SANZ DROICT,” (2) the “tricked” sketch of the arms, (3) the added note at the bottom right, and (4) the punctuation—especially the several periods. (The “No. 23.” is perhaps a catalogue number.) Even the “Shakespeare. 1596,” at the right top, is in the same hand as that of the body of the document.

No study of this document is complete unless especial attention is devoted to the erasures and interlineations; for they provide the general background of information on which the grant was based, even though not all they imply may be actual fact. The spirit of the matter and not the letter of the law was the chief consideration. If the mass of grants of arms in the College of Heralds demonstrates anything, it demonstrates this. Yet there was no extreme laxity in the College of Arms in 1596; the accounts and records of the “Visitations” do not indicate that there was particular laxity at any time during the Elizabethan period.

In the sixteenth century the great mass of English yeomen formed the recognized bulwark of the nation. With the gradual breaking up of the larger manorial estates, the acquiring of land by others than the lords of the manors became the interest of the day. Yeomen everywhere were zestful to acquire lands in their own names and thus to establish their families in the social realm as landed gentlemen.¹ This ambition to

¹ Degrees and rank even as late as Elizabethan England are obscure to people of the twentieth century. Book II, chap. v, of Harrison’s *Description of England* (Furnivall’s edition, 1877, I, 105–6) is entitled: “Of degrees of people in the commonwealth of England.” At the outset of the chapter, he as-

achieve social-political position was the urge of the Elizabethan period. Red-blooded yeomen were desirous of being addressed as "Master"—after 1565, almost regularly in the Corporation records, John Shakespeare is entered as "Master Shaxpere"—and they strove to establish themselves in the male line of gentry. Originally "Master" was used only in speaking of or to a man either of high social rank or of learning. Sir Thomas Smith (*Common-welth of England*, 1594) said: "Master is a title which men give to esquires and other gentlemen." To attain gentryhood in the late sixteenth century meant (a) social position, (b) influence, (c) leadership, and (d) landlordship for the tenant farmers who, on leases, farmed the many furlongs which the landed gentleman owned. Others in and about Stratford had become gentry: the Combes, the Nashes, the Reynoldses, the Quineys, the Sadlers, the Lanes, the Bishops, the Halls, the Addenbrookes, the Ardens, the Greens. In London, among Shakespeare's fellows, sooner or later, Henry Condell, John Heminges, Thomas Pope, Augustine Phillips, Richard Cowley, and Richard Burbage became gentlemen. In 1596 ambitious John Shakespeare, yeoman, and his son William Shakespeare, who had achieved prominence in the metropolis as poet and playwright in the theater, responded to the national urge, sought a coat of arms, and secured it.

serts: "We in England diuide our people commonlie into foure sorts, as gentlemen, citizens or burgeses, yeomen, and artificers, or laborers. Of gentlemen the first and cheefe (next the king) be the prince, dukes, marquesses, earls, viscounts, and barons; and these are called gentlemen of the greater sort, or (as our common vsage of speech is) lords and noblemen; and next vnto them be knights, esquires, and last of all they that are simple called gentlemen; so that in effect our gentlemen are diuided into their conditions, etc." Contrary to general belief, the Anglo-Saxons, in their democracy, recognized and observed the degrees and ranks among themselves; "Eorl," "eorl," "thegn," and "thoden" were Anglo-Saxon "conditions" never confused. (See "Of People's Ranks and Law" in B. Thorpe's *Ancient Laws and Institutes of England*, pp. 81-82; also William Stubbs' *Select Charters*, 3d ed., 1876, p. 64.) The laws of ranks are as old as King Athelstan. Recent volumes on Anglo-Saxon laws by A. J. Robertson (*The Laws of the Kings of England from Edmund to Henry I*) and by F. L. Attenborough (*The Laws of the Earliest English Kings*) restate the old Germanic laws of degrees and ranks.

As High Bailiff of Stratford in 1568 John Shakespeare was lawfully entitled to a coat of arms: indeed, the Heralds were under obligation, at John's "instant request," to grant him arms. "Bailiffs of Cities" were especially listed as deserving dignities. Sir John Ferne, in his "The Glory of Generositie" (*Blazon of Gentrie*, 1586, pp. 58-60), asserted:

If any person be aduanced, into an office or dignity, of publike administration, be it cyther Ecclesiasticall, Martiall, or Ciuill: . . . the Heralde must not refuse, to deuise to such a publike person, vpon his instant request, and willingnes to beare the same without reproche, a coate of Armes: and thenceforth, to matriculate him, with his intermarriages, and issues descending, in the register of the Gentle and Noble In the ciuill or politticall estate diuers offices of dignitie and worship, doe merite coats of Armes, to the possessor of the same offices: as . . . and Bailiffes, of Cities and, auncient Borowghes, or incorporated townes.

Both John Shakespeare and his son William had financial assets. When John in 1556 married Mary Arden, he married an heiress to lands (Asbies, etc.); and when in 1582 William married Anne Hathaway she, too, brought with her funds from the Hathaway estate. By 1596 William's financial position in the theater was rather secure. The Quincy-Sturley letters of 1598 show that William Shakespeare was a man of funds who had potential possibilities as a purchaser of land, and other property.

Harrison, in his *Description of England* (Furnivall's edition, 1877, I, 133), wrote that not infrequently yeomen by honest labor and thriftiness "come to great welth, in somuch that manie of them are able and doo buie the lands of vnthrifit gentlemen, and often setting their sonnes to the schooles, to the vniuersities, and to the Inns of the court; or otherwise leauing them sufficient lands wherevpon they may liue without labour, doo make them by those means to become gentlemen."

It should be remembered, too, that when in 1556 John Shakespeare married Mary Arden, whose father Robert Arden was a gentleman, he married above

his own station in life. John Shakespeare must have been deemed worthy, else this marriage would not have taken place. In 1580 (State Papers, Domestic, Elizabeth, cxxxvii, 68-69, 1580) John Shakespeare was listed among the gentlemen and freeholders of the County of Warwick: "In Stratford on Avon John Shaxspere and at Rowington Thomas Shaxpere April 1580." Moreover, in so marrying, Mary Arden forfeited her rights to gentryhood. The State Papers, Domestic, Elizabeth xxvi, 31, 1562, record:

At a Chapitre holden by the office of Arms at the Embroyderers' Hall in London, anno 4^o Reginae Elizabethae it was agreed that no inheritor cyther wife or widow should bear or cause to be borne any Crest or Cognizance of her Ancestors otherwise than as followeth. If she be unmarried to bear her ring, cognizance or otherwise, the firste coate of her ancestors in a Lozenge. And during her widowhood to set the first coate of her husbände in pale with the first coate of her Ancestors. And if she marry one who is noe gentleman, then she to be clearly exempted from the former conclusion.

Under the circumstances, if the opportunity later permitted John Shakespeare to advance to the plane of the gentry, it is not improbable that he would take advantage of it. In so doing he could recover for Mary Arden something of her forfeited rights.

There is some evidence that this was a consideration before the actual grant of 1596. Robert Cook, Clarenceux King-of-Arms in 1567, had Warwickshire in his province. He had had his visitation committee in Warwickshire in 1568, the very year in which John Shakespeare became High Bailiff of Stratford. As High Bailiff, John was a Justice of the Peace and hence a Queen's officer. Now one of the functions of a committee of visitation was to pull down or deface any tombs which carried arms on them for which there had been no lawful grant by the College in London. And another function was to seek out such persons as were qualified and to encourage them to take the initiative to secure a grant of arms. In a footnote to

[DOCUMENT 101]

[PRELIMINARY DRAFT OF GRANT FOR THE SHAKESPEARE COAT OF ARMS, 1596]

Non, Sanz Droict.

non, sanz Droict:

NON SANZ DROICT

Shakespere. 1596

To all & singuler Noble & Gentillnne of what estate or degree bearing Arms to whom these p[rese]nt[es] shall come Will[ia]m Dethick al[ia]s Garter. principall king of Arms

sendethe greeting[es] Knowe Yee that whereas by the authoritie & auntyent ^{p[r]yvelege & p[er]tey[n]inge to} custome of ^{the} ^{said} ^{of principall king of Arms fro[m]}

my office ^{fre} ^{the} Quenes most exc[ellent] ma[ies]tie and her highnes most noble & victorious progenitors. I am to take gen[er]all notice & record & to make publique demonst[r]ation

& testimonie for all ^{and matters of} ~~matters~~ & causes of Arms & for all Gentry Throughe out all her

Ma[ies]t[ies] kingdoms & domynions, Principalities, Isles, & Provinc[es]. To thend that [...] [...]

As some by theyre auntyent Names famelies kyndred[es] & descent[es] have & enioye sonderie ensoignes & C[oa]tes of Arms. So other for theyre valiant fact[es] magnanimite vertue dignites & dessertes maye have such ~~tokens & mark[es]~~ & Tokens of honor & Worthinesse. Whereby theyr Name & good fame shalbe [.....]

& divulged & theyre Children & posteritie ^{in all vertue encouraged to the} ~~better~~ ^{the} ~~deccorned better~~ service of theyre Prynce & Countrie

~~In consideration & better declaration whereof I have ben crediblye informed~~ ^{Being herevnto solicited and by [?] therefore} ~~Being herevnto solicited & [by] credible report informed.~~ That John Shakespeare of Stratford vppon Avon in the Counte of warw[icke] parent[es] & late

whose ^{at those p[ar]t[es]} antecessors were for they[r]e valieant & faithfull service advaunced & rewarded by the most Pruden[t]

Prince king Henry the seventh of famous memorie sythence whiche tyme they have continweed ^{in good} And that the said John having maryed ~~the~~ Mary daughter & one of the heyres of Robert Arden of Wilm^{cote} in the said counte gent reputac[i]on & credit In consideration whereof & for encouragement of his posterite I

have ^{therefore} assigned ^{by these p[rese]nt[es] and confirmed} ~~seven and~~ graunted ^{and confirmed} this shield or Cote of Arms. Viz. Gould on a bend sable a speare. of the

the poynt steled ^{proper} ~~argent~~ his wing[es] displayed ^{proper} Argent first ^{as aforesaid} And for his Creast or Cognizance. A faulcon ^{proper} ~~argent~~ standing on a wrethe of his Collors supporting

a Speare. gould. steled ^{proper} ~~argent~~ sett vppon a healmett w[i]th mantell[es] and tassell[es] as ^{hathe ben accustomed and} more playnely appeareth depicted on this margent. Signefieing hereby that it shalbe lawfull for the sayd John Shakespeare

gent. and for his Children yssue & posteritie ^{at all tymes convenient [to] make shewe of Blazon or Atchevement theyre} ~~And that he or [they] maye vse & beare~~ ^{the same on Shield[es]}

^{penons Guydons Edefice vtensiles lyveries Tombes or Monum[en]t[es]} ^{at all tymes}

cote of Armes Creast Cognizance or ^{according to the Lawes of Arms} or ^{other} Escucheons ^{that [?] vse & beare the same} Seales Ring[es] signett[es] ^{other} or other wyse ^{that [?] vse & beare the same} in all lawfull warrlyke fact[es] or Ciuile vse

and exercises ^{according to the Lawes of Arms} w[i]thout lett or interruption of any p[er]son or p[er]sons ^{other} ^{that [?] vse & beare the same} In witnesse whereof I have herevnto subscribed my name & fastened the Seale of my office endorzed w[i]th the Signett

of my Arms. At the office of Arms Londo[n] the xx^{te} Daye of october ≈[in] the xxxix^{te} yeare of the reigne of our Sou[er]aigne Lady Elizabeth by the grace of God Quene of England ffrance & Ireland. Defender of the faithe &c. 1596.

To whom theyse achivments maie [altered from "must" or vice versa] as [?]

desend, by the auncient custom and

lawes of Armes.

[Document 101]

Preliminary draft of the Shakespeare coat of arms, October 20, 1596. College of Arms,
Vincent MS 157, Article 23

[DOCUMENT 102]

[SECOND AND REVISED COPY OF DRAFT OF GRANT FOR THE SHAKESPEARE
COAT OF ARMS, 1596]

Shakespeare

NON Sanz droict

To all and singuler Noble, and Gentilmen; of what Estate, degree bearing
Arms to whom these present[es] shall come. Will[ia]m Dethick Garter princip[al]
king of Arms sendethe greeting[es]. Knowe Yee. that whereas by the authoriti[e]
and auneient pryveleges p[er]teyning to my office fro[m] the Quenes most excellent
Ma[ies]tie and by her highnesse most noble & victorious Progenitors. I am to tak[e]

declaration.

gen[er]all notice & record ~~for~~ and ~~too~~ to make-demonstracion & testimonie for all causes of
Arms and matters of Gent. thoroughe all her Ma[ies]t[ies] kingdoms, dominions, Principalities,
manie gentilm[en]

Isles, and Province[es]. To the'nd that as ~~come-me~~ by theyre auneient names of families,
kyndred[es], & descent[es] have & enioye certeyne enseignes & cott[es] of Arms So it is ve[rie]

in all tymes Ages

expedient [^] that some me[n] for theyr valeant fact[es], magnanimite, vertu, & dignities & des[ertes]

vse

maye have & beare suche tokens of hono[r] and worthinesse. wherebye theyre Name & good fame may[e]
be the better knownen & divulged. and theyre Children & posterite (in all vertu to the syrvice of theyre
Prynce & Contrie) encouraged. Wherefore being solicited and by credible report [info]rmed. Th[at]

Warwike

John Shakespeare of Stratford vppon Avon in the Countie [of] ~~Co-Mor~~ parent[es] (?) ..

Grandfather

his

.... antecessors ~~were~~ for ~~they~~ faithfull & va[leant]

.... Prince king Henry the seventh o[f]

in these p[ar]t[es] being

.... [t]hose p[ar]t[es] continewd [^] of good reputac[i]on

.... [s]aid John hath maryed the daughter

esquire

[suche (?)]

..... Counte gent and for the encouragement of his posterite ~~aforesaid~~ to whom [^] ?

..... auneient Custome of the Lawes of Armes maye descend. I have the said g[arter]

..... of Arms have assigned, graunted, and by these p[rese]nt[es] confirmed: This shie[ld]

.... of Arms. viz. Gould. on A Bend Sables. a Speare of the first steeled argent. And for his

Creast or Cognizance a falcon his winges displayed Argent. standing on a wrethe of his Collors. supp[orting]

w[i]th

& tassel[es]

A Speare Gould. steeled as aforesaid sett vppo[n] a helmet ~~and~~ mantell[es] [^] as hath ben accustomed and

hereby

dothe mor[e] playnely appeare depicted on this margent: Signefieng hereby & by the authorite ~~aforesaid~~
of my office aforesaid Rateficing that it shalbe lawfull for the said John Shakespeare. gent. and for his cheld-

& places

re[n] yssue & posterite (at all tymes [^] convenient) to beare and make demonstrac[i]on of the said Blazon or

Greastes or Cognizances

Atchevment vppo[n] theyre Shield[es], Target[es], escucheons, Cotes of Arms, [^] pennons, Guydons. Scales,

Edifices

Ring[es], ~~Edifices~~, Buyliding[es] vtenseles, Lyueries, Tombes, or monument[es]. or otherwise for all lawfull
warrlyke fact[es] or Ciuile vse or exercises: according to the Lawes of Arms, and Customes that to gentillmen.

other

for vse or

belongethe: w[i]thout let or interruption of any p[er]son or p[er]sons [^] be- bearing the same. In wittenesse &
p[er]petuall reme[m]brance hereof I have herevnto subscribed my name & fastened the Seale of my office en-

dorzed w[i]th the signett of my Arms. At the office of Arms Londo[n] the xx. daye of October in the xxviith yeare of the reigne of ou[r] Sou[er]aigne Lady Elizabeth by the grace of God Quene of England, ffraunce and Ireland defender of the ffaythe etc. 1596.

24 This Joh[n] sheweth [?] A patierne therof vnder Clarent Cooks hand.
 20 ~ [in] paper. xx years past

Towne officer & cheffe of the Towne

A Justice of peace that And was Baylif of Stratford vppo[n] Avon xv of xvj years past
 That he hathe Land[es] & tene[men]t[es] of good wealth & Substance 500^{li}.
 That he mar[ried]* [The MS is mutilated]

* The four footnotes, in the same handwriting as the body of the grant, have been variously transcribed by scholars. In the first footnote the third word is the crux. Commonly, the transcripts have "hath." But whatever else the initial letter of this word in the original manuscript, it is not an Elizabethan script *h*. The entire word is either very closely written, or else partly deleted, or one word is superimposed upon the other. S. A. Tannenbaum in a communication to the present editor transcribes it as: "This John long [changed to "sent"] A patierne therof vnder Clarent Cooks hand. in paper. XX yeares past," and adds, to explain, "I think the scribe wanted to write 'long ago.'" That "long" was first written and then "sent" written on top of it seems plausible; but a critical examination of the composite under a microscope does not aid very much. Sir E. K. Chambers (*William Shakespeare*, II, 20) has "shoeth," which would be a strange spelling for the well-known Elizabethan form "sheweth." Likewise, he reads "herof" rather than the very definite "therof." Moreover, he omits the little word "in." In Elizabethan documents a short horizontal dash (sometimes a bit wavy) was equivalent to the word "in," and here is an instance of such use.

In the second footnote Sir Edmund misspells the word Baylif[c(?)] by transcribing it "Baylyue," and writes also, "The Q[ueenes] officer," etc. But microscopic analysis shows no "Q[ueenes]" in the original manuscript.

In the light of extant documentary evidence (see chapter vi, above) relative to the finances of John Shakespeare, question very properly might be raised—and often has been raised—about the "500^{li}" at the end of the third footnote. Not infrequently wealth in Elizabethan times was rated, as today in England, on the basis of yearly income; rather less frequently was a man's wealth rated in terms of the total value of his holdings. Now if "That he hathe Land[es] & tene[men]t[es] of good wealth & Substance 500^{li}" is a statement of John Shakespeare's entire holdings, it probably is not an overstatement; however, if the intent was to support the application for a coat of arms by affirming that John Shakespeare's income was £500 (\$20,000) per annum, then it is admittedly too large for the Shakespeares, even if their modern admirers grant them generously all that could be due them. An annual income in cash of £500 would place John Shakespeare in a class with the wealthiest citizens in and about Stratford—the Lucys, the Combes, the Walkers, and others.

The suggestion sometimes made that the "500^{li}" actually may be "50^{li}," with an unusually heavy period under the "li" (as was conventional in Elizabethan times) which period was not completely closed but which, in the hasty making, resulted in a zero, is not wholly tenable. A very clear photographic facsimile shows that each cipher of the "500^{li}" is quite open and that the period is after the "li." Unquestionably the reading is "500^{li}."

The mutilation of the bottom right edge of the original manuscript renders it impossible to interpret the last footnote—"That he mar . . ." It is fair to assume that since the body of the text already had stated that John had married [Mary Arden], the footnote added further information of some sort—perhaps about Robert Arden, or her inheritance, or something else that would support the Shakespeare application.

the second copy of the draft, it is declared that John had a "patierne therof vnder Clarent Cooks hand in paper xx years past"; this means that the former application was made about 1576, at which time Clarenceux Cook had Warwickshire in his jurisdiction.

When Hamnet, twin brother to Judith, was born in 1585, he became the oldest son of the oldest son in the John Shakespeare family. But, with his death in 1596 at eleven years of age, an important link in the family descent was broken. The funeral was on August 11. By the following October 20, a first draft of a coat of arms for John Shakespeare was drawn up by William Dethick, Garter Principal King-of-Arms. And

in 1599 a draft for the impalement of the Arden arms on the Shakespeare arms was prepared by Dethick and Camden. Since John was still alive and the official head of the Shakespeare family, the grant was made to him. Title to it was assumed by William only on the death of his father in 1601.

B. The College of Arms Vincent MS 157, Article 24 (Document 102), is a revised version of Vincent MS 157, Article 23, shown as Document 101. The revised draft has thirty lines, to twenty-seven lines in the earlier draft. It may have been the draft from which William Dethick made the final "fair copy" of the actual grant which, according to the statement in the document itself, was

signed, sealed, and delivered to John and William Shakespeare. (The signed and sealed copy presumably delivered to the Shakespeares has never come to light.) It is one large paper folio, approximately 15¼ by 10¼ inches. A heavy crease, transverse of the document, at the center, divides it approximately in half, the upper part being darker and more soiled. Other transverse creases show other foldings of the instrument. Large lacunae, resulting from mutilation, are on the right and on the left of the center of the document. The whole has been mended and mounted. Part of the missing words may, with a fair degree of certainty, be supplied from their counterparts in the earlier draft, Article 23,

and the remainder may be obtained from the Impalement MS of 1591 (see chapter liii, p. 301). No doubt the revised version was the one retained by the College as its official copy.

Stephen Tucker in *The Assignment of Arms to Shakespeare and Arden, 1596-97* (1884, p. 7), and J. W. Walter, in his *Shakespeare's True Life* (1893, p. 52), reproduced the manuscript in reduced facsimile; and Tucker his in color. There is likewise a facsimile in *2 Miscellaneous Genealogies et Heraldica* (I, 103). Transcripts are in Tucker's *The Assignment of Arms* (pp. 7-8), in J. G. Nichols' *Heraldica et Genealogica* (I, 212), in French's *Shakespeareana Genealogica* (1886, p. 513), in D. H. Lambert's *Shakespeare Documents* (1921, pp. 10-22), and in E. K. Chambers' *William Shakespeare* (II, 18-23). Of these, Tucker's is literal and not composite from Vincent MS 157, Article 23; and the others are composites.

The entire document is in one hand. Of interlineations and erasures there are fewer than in Article 23. The content of the additional notes not in Article 23 is utilized in the 1591 impalement (see chapter liii) of the Arden arms on the Shakespeare coat of arms.

This Article 23 version of the grant further exemplifies the process by which the document gradually was rounded into final form. No doubt the grant delivered to the Shakespeares contained, in the body of the manuscript, the information here written in the footnotes placed at the bottom of the page. The many periods carefully placed after the several important items were employed to emphasize the various points of information. The facsimile here provided is from the original in the College of Arms—thanks to the courtesy of Arthur Cochrane, Chester Herald—and from an especially excellent full-size photograph of the original, reproduced with the generous consent of the College of Arms. A transliteration of the document, with abbreviated words spelled out by means of letters enclosed in brackets, is here given as Document 102.

It will be noted that the preliminary draft and this revised draft are in the

same handwriting. (The "No. 24" is, no doubt, a catalogue number.) It will be noted that the regnal year of Elizabeth was first written "xxxix" and was then, very properly, deleted and changed to read "xxxviii".

This 1596 draft has nothing unusual about it. It has all the characteristics of a sixteenth-century document of this sort: the conventional organization, the repetitious phrases, and the conventional claims for the grantee. Like many others it is written as one paragraph. In its organization it includes: (1) the salutation to all others who bear arms; (2) the statement of obligation, the Garter being obliged to seek out and take note of anyone who was entitled to arms; (3) the two qualifications, either of which would suffice, that is, the grantee's family having had an ancient coat, or the grantee himself or his ancestors having achieved distinction; (4) information about the candidate; (5) his qualifications; (6) a confirmation of his claims; (7) the assignment of the arms; (8) a description of the coat; (9) a "tricking" of the coat in the margin of the grant; (10) assignment to the grantee and his posterity of lawful use of the coat; (11) witnessing and executing; and (12) the date. The fact that this draft was not signed and sealed is evidence that this was not the "fair copy" properly executed and placed in the possession of John Shakespeare.

A critical analysis of the final draft of the 1596 grant of a coat of arms to John Shakespeare cannot well be made, for the reason that that final draft, signed and sealed, has not come to light. Vincent MS 157, Article 24, is seriously defective at the very points where information is most needed. Since, however, an impalement of arms conventionally restated the bases on which a coat was originally granted and since, likewise, it redescribed the coat, it may be taken for granted that the bases for this 1596 grant, re-enumerated in the 1599 Arden impalement, stood thus in the final version of the 1596 draft.

A better understanding of the content of the 1596 grant of arms to John Shakespeare may be obtained from the discus-

sion of the terms of impalement of the Arden arms on the Shakespeare arms found in Document 144 (see chapter liii, below).

Evidence that the grant of arms of 1596 to John Shakespeare was not made may be cited from the two copies of the 1596 draft, from the draft of the 1599 impalement, and from contemporary documents relating to John and later to his son William.

Some critics have held that the two drafts of the 1596 grant are not officially executed, signed, and sealed, and therefore that the grant was never made. But these two drafts are only preliminary copies, neither of which is the actual completed document delivered by the College of Arms to the Shakespeares. The 1599 impalement also is not officially executed; but this too, as may be inferred from its corrections and interlineations, was but a preliminary copy.

The preliminary copy of the 1596 draft states that the "antecessors [of John Shakespeare] were for theyre valiant & faithfull service advanced & rewarded by the most Prudent Prince king Henry the seventh"; but the Patent Rolls for Henry VII do not contain any grant of land to the Shakespeares of Warwickshire—indeed, they mention no Shakespeare of any place. The words in a footnote to the second copy of 1596, "This John sheweth A patierne therof vnder Clarent Cooks hand in paper xx years past A Iustice of peace And was Baylif officer & cheffe of the Towne of Stratford vppon Avon xv or xvj years past," have caused some confusion. The difficulty does not rest in the statement that John "sheweth A patierne," which he had received some twenty years before, because notes of the College of Arms show that he had received from Robert Cook a pattern or trick of arms as a suggestion for a possible grant (Chambers, *William Shakespeare*, II, 23). But John had been High Bailiff in Stratford in 1568-69, and the "xv or xvj years" must be an error. The statement in the 1599 draft for impalement, "And also produced this his Auncient Cote of Arms heretofore Assigned to him whilst he her maiesties officer was

& Baylefe of that Towne," must also be an error. Furthermore the footnote to the 1596 draft (second copy) stating that John had lands and goods worth "500^{li}" has been held to be an overstatement, particularly in the light of the known documents concerning John's financial status at about that date.

In 1597 both the deed for the sale of a small part of the Birthplace property to George Badger and the bill of complaint against John Lambert in the suit to recover an Aston Cantlow property, probably Asbies, fail to identify John Shakespeare as "gentleman." It may be cited, however, that *Devonshire Wills* (edited by Charles Worthy, 1896, pp. 77, 168) show how notoriously defective deeds, wills, and other documents of that period were in such matters as indicating gentry, and the Marlowe documents, discovered by J. Leslie Hotson, show "Ingram Frazer, gentleman," twice identified as "yeoman." The burial entry in 1601 in the Stratford Parish Register reads "Mr Johannes Shakspeare," instead of "Johannes Shakspeare, gent."

However, it is needless to mention the fact that William Shakespeare is not identified as "gentleman" in the last decade of the sixteenth century, because he would not have the right to the appellation before his father's death in 1601. Hence, one should not expect his early publications to carry the identification on their title pages, or for him to be so identified in such instruments as the fine for New Place, executed in 1597, or the Note of Corne and Malte in 1598. But the deed of conveyance of the Getley copyhold property in 1602 does not accord him the title. The 1603 Patent of James I creating the King's Men his official dramatic company does not ascribe "gentleman" to Shakespeare; nor does it to any of the other persons listed in that company. The Diary of Thomas Greene (1615-16), now among the Miscellaneous Documents in the Birthplace Museum, in no single entry identifies Shakespeare as gentleman, though Greene does call Shakespeare "Cosen." The 1611 subscription relating to the repair of the highways does not place Shakespeare among the gentry. John

Combe's will, 1613, in its bequest to Shakespeare does not ascribe "gentleman" to him. The Aubrey manuscript, 1681, and Rowe's "Life," 1709, make no reference to a coat of arms.

That neither the grant of 1596 nor the impalement of 1599 was actually awarded has the support of such scholars as Halliwell-Phillipps, Kenny, Hazlitt, and Fleay; while Hunter, White, Elze, Lee, and Mabie hold that only the impalement of 1599 was awarded. In the practices of the College of Arms, however, there could have been no impalement awarded to a man who did not already possess a coat of arms.

And yet evidence supporting the position that the 1596 grant was awarded is convincing:

The best evidence of such a grant is the acknowledgment and "exemplification" (an official record or acknowledgment of a previous act or record) of the 1596 grant in the 1599 impalement. Just as a deed, a lease, or other legal instrument (see discussions of such legal documents elsewhere in this work), always repeated *ad nauseam* the prior holdings or leases, so an impalement of arms restated the original grant. The 1599 impalement (chapter liii) reads: "Assigned, graunted, & confirmed & by these presentes exemplified vnto the said John Shakspeare." A sixteenth-century exemplification (see the 1597 "exemplification" of the fine for New Place, chapter xli, below) was *prima facie* evidence in a Court record that the previous act had actually occurred and taken place. Charles H. Athill, *Richmond Herald*, in a communication to S. A. Tannenbaum (*Was William Shakespeare a Gentleman?* p. 24), December 21, 1908, correctly asserted: "the [1596] Arms appear again in the assignment for Arden in 1599, clearly proving, if proof is necessary, that the 1596 Patent did pass, otherwise they would not have been inserted in that Patent. . . . The issuing of the Patent has never been questioned here."

Since John Shakespeare did not die before 1601, the appellation "gentleman" would not have been accorded William Shakespeare, in legal documents, until

after that date; all in all, thirty legal documents thereafter do identify the dramatist as of the gentry: (a) An inventory of 1601 has "Richard Burbage and William Shakespeare gent." (b) The May 1, 1602, conveyance of 107 acres from the Combes reads, "william Shakespere of Stretford vpppon Avon . . . gentleman." (c) The second fine of 1602 has "Inter Willielmum Shakespeare generosum quaerentem." (d) The July 24, 1605, assignment of a lease for the Stratford Tithes reads, "And william Shakespear of Stratforde vpon Avon in the sayed Countye of warr gent." (e) The July 24, 1605, bond from Ralph Huband reads, "to William Shakespeare, gentleman." (f) In five of the seven documents having to do with the suit of Shakespeare against John Addenbrooke, local Court of Record, December 21, 1608, to June 7, 1609, the dramatist is described as "William Shackspeare gentleman." (g) The 1610 fine recording a purchase of twenty acres from John Combe reads "Inter Willielmum Shakespere generosum." (h) The 1611 bill of complaint in Chancery about the Stratford Tithes has "William Shackspeare of Stratford uppon Avon aforesaid in the county of Warwicke gentleman." (i) Three documents, including his own sworn-to deposition, in the Belott-Mountjoy suit, 1612, identify him as "William Shakespeare gent." (j) The Blackfriars deed, March 10, 1613, reads, "and William Shakespeare of Stratford vpon Avon in the Countie of Warwick gentleman." (k) The March 11, 1613, Blackfriars mortgage again asserts, "William Shakespeare of Stratford vpon Avon in the Countie of Warwick gentleman." (l) The October 28, 1614, Replingham agreement concerning the Welcombe enclosures of common fields says, "betweene william Shakespeare of Stretford in the County of warwicke gent." (m) The April 26, 1615, bill of complaint in the suit to recover all the legal documents pertaining to the Blackfriars property has, "William Shakespere gent." (n) The May 5, 1615, answer of the defendants in the Blackfriars suit, reads, "william Shakespeare gent." (o) Shakespeare's will of

March 25, 1616, identifies him as "William Shackspeare of Stratford vpon Avon in the countie of warrwick gentleman." (p) The Burial Register in the Stratford Church asserts: "wilt Shakspeare gent." (q) The February 10, 1618, deed by which the Blackfriars property is conveyed to Susanna Hall declares, "... confidence and trust in them reposed by William Shakespeare deceased late of Stretford aforesaid gent." (r) John Hall's 1625 sale of the Stratford Tithes to the Corporation reads, "... and William Shakspeare of Stratford upon Avon, in the countie of Warwick, gente." (s) The 1637 answer of Susanna Hall to a complaint that she had not administered the estate of her husband John Hall (†1635) reads, "by the last Will and testament of Willm. Shackspeare gent her late ffather Deceased." (t) The May 27, 1639, indenture confirming the Shakespeare entailed estate to Susanna Hall, Thomas Nash, and Elizabeth Nash speaks of "the inheritance of William Shakespeare gent. deceased, late father of the said Susan." (u) The June 2, 1647, settlement of the Shakespeare property to Susanna Hall and Elizabeth Nash describes the property as "... which heretofore were the inheritance of William Shakspeare gent." (v) The 1652, October 20, settlement of John Barnard and Elizabeth Hall-Barnard to Henry Smyth declares the property to be "heretofore the inheritance of William Shakespeare gent." (w) The April 18, 1653, direction for the sale of this property says, "which weare sometimes the inheritance of William Shackspeare gent., my grandfather." (x) The April 18, 1675, indenture relating to Lady Barnard's property reads, "... and Elizabeth his wife, grandchilde and heire of William Shakespeare, gent."

While it is true that the title pages of the quarto editions of the plays which bear his name and which were published before 1623, that of the *Sonnets* (1609), and that of the First Folio (1623) do not designate the poet by the addition "gentleman," there are some published items which do so identify him: (x) Thomas Pavier's 1619 *The Whole Con-*

tention, says, "Written by William Shakespeare, Gent." (2) John Stow's *The Annales of England* (1615 edition continued to 1614 by Edmund Howes) includes "M. Willi Shakespeare gentleman." (3) The 1634 edition of *The Two Noble Kinsmen* reads: "Mr. John Fletcher, and Mr. William Shakspeare, Gent." (4) The 1640 *Poems* were published as "Written by Wil. Shake-speare Gent." And (5) the 1655 *The Rape of Lucrece* is printed "By the incomparable Master of Our English Poetry, Will: Shakespeare, Gent."

The absence of the addition "gentleman" from Shakespeare's name on the title pages of his published volumes before 1623 cannot be explained on the ground that other "gentlemen" whose work at the time was published likewise had this appellation omitted from their title pages. True it is that in the late sixteenth and the early seventeenth centuries plays were not considered as estimable as poetry; but plays were sometimes published with the addition "gentleman" appended to the author's name.

Impalements of the Shakespeare arms on the tablaturs and gravestone inscriptions in the Stratford Parish Church indicate that the grant of 1596 was actually issued. The College of Heraldry on its various Visitations to Stratford would have singled out and defaced unwarranted employment of arms. Not only does the Burial Register in the Church record "wilt Shakspeare gent" but the Shakespeare arms grace his "Stratford monument," which was erected to his memory before 1623. Parish-register entries and inscriptions on monuments were serious items in that period and each was unlikely to carry the word "gentleman" if actually the person was not of the gentry. When John Hall, Shakespeare's son-in-law, was interred in 1635, his gravestone was made to read: "Heere lyeth y^e body of Iohn Hall Gent: hee marr: Svsanna, y^e daughter & coheire, of Will: Shakespeare, Gent." When, in 1649, Susanna Hall was buried² in the Church beside her husband,

² In the Stratford Parish Church, within the chancel rail, the members of the Shakespeare family are buried in order from left to right (as one faces the altar from the nave): Anne Hathaway (1623); William

her gravestone was carved: "Heere lyeth y^e body of Svsanna wife to Iohn Hall Gent: y^e daughter of William Shakespeare, Gent."

On the gravestone of John Hall the Shakespeare arms are impaled with those of Hall—three Talbotts heads for Hall and the tilting-spear for Shakespeare. On the gravestone of Thomas Nash, the Nash, the Bulstrode, and the Shakespeare arms are impaled. (It is significant, perhaps, that in none of these impalements are the Arden arms included.) Fair facsimiles of these impalements may be seen in G. R. French's *Shakespeareana Genealogica* (pp. 413-15); they are also in facsimile in S. A. Tannenbaum's *Was William Shakspeare a Gentleman?* (pp. 20-26). On the seal of the 1639 deed of settlement by Susanna Hall, the Shakespeare arms are impaled (facsimile in Halliwell-Phillipps' *Outlines*, II, 109) on the Hall arms. On a deed poll (1653) by Elizabeth Nash, the Shakespeare arms are impaled on the Nash arms. Obviously Gerard Janssen, who executed the memorial, must have been directed to place the family arms on the Shakespeare monument in Stratford Church; and complying when there was no warrant for the arms, even if directed to do so, would have made him seriously liable before the law. Edmondson (*A Complete Body of Heraldry*, I, 158-59) makes clear that the law of the realm strictly prohibited painters and graveurs, from painting, or gravings a coat of arms which were not lawfully borne. Moreover, a legal scrivener in that period was careful not to employ "Sir," "knt," "gent," or any such title, if the case did not warrant. Both Edmondson (*op. cit.*) and J. Guillim (*A Display of Heraldrie*, 1724 edition, p. 15) cite evidence that deputies of the King-of-Arms had the legal right—that is partially what the Visitations were for—to pull down and deface any tomb or monument that bore a coat of arms

Shakespeare (1616); Thomas Nash, Esq. (1647); John Hall (1635); and Susanna Hall (1649). Then followed two graves supposedly holding the remains of the members of the Watts family. The burial places of Hamnet and Judith are not known; each was perhaps buried in the graveyard of the Church. Lady Barnard (Elizabeth Hall-Nash-Barnard) was interred at Abington.

which had not been lawfully assigned. Edmonson (*op. cit.*) correctly states that, in the time of Henry VIII, the King-of-Arms had been empowered "to reprove, control and make infamous by proclamation all such as unlawfully and without just authority, usurped or took any name or title or honour or dignity, as esquire, gentleman, or other." From what is known of the Puritan John Hall, one does not conclude that he would have been party to misrepresentation with respect to a coat of arms.

A number of important manuscript entries and one or two printed notations state definitely that a coat of arms had been awarded to William Shakespeare: (1) Ralph Brooke's charge (see chapter lxiii, Volume II) in 1602 that William Dethick had awarded a coat of arms to John Shakespeare too nearly like that of Lord Mauley was based on the understanding that such a coat actually had been awarded. The actual phrasing (College of Arms MS W.Z. 276^b) is "and the person to whome it was granted," (2) The Harleian MS 6140, folio 45, in the British Museum, is a tricking from W. Segar's collection of arms which lists Shakespeare's arms as having been granted. It is not known by whom nor when this entry was written; but the legends read (at top) "William Shackspeare" and (at right) "A patherne p[er] Willm Dethike Garter principall k[i]ng of Armes." The tricking is representative even if not quite accurate. (3) The Stowe MS 676, folio 116^v, in the British Museum, records that a coat of arms was granted to John Shakespeare; it reads: "A° 38° Elizth. . or: on a bend sables a spear of the first steeld argt. & for Crest a Falcon his wings displayed arg. standing on a wreath of his colours supporting supporting a spear or steeld as afores^d set upon a helmet with mantells & tassells granted by W^m Dethick Garter to John Shakespeare of Stratford on Avon Warwickshire who married d. & heir of Rob^t Arden of Willingcot in com predict Esq. 20 Oct^r 1596." British Museum officials think this manuscript is of the eighteenth century. It is obviously a copy, but its facts are fairly correct. Whether it is an independent

entry or a copy of some earlier entry or record is not known. (4) The "E. D. N. Alphabet," Index of the College of Arms, has an entry made by John Warburton, Somerset Herald (1720-1759). This manuscript index includes a book in which the Officers of Arms made notes of any coats of arms in which they might have interest. This entry describes the coat thus: "O on a/S. a Spear. I. Crest a Falcon, wings display'd, A, supporting a Spear in I. O. Granted 20 October, 1596." John Warburton made the further entry: "granted 20 October, 1596, to John Shakespeare, of Stratford-upon-Avon, in Com. Warr., Gent., per William Dethick." (5) John Guillim's *Display of Heraldrie* (1724, 6th edition, Sect. IV, p. 338), a really learned work which must have been based on information acquired at first hand from the documents, has a printed tricking of the shield, bend, and spear of the coat with the legend to the right of it reading: "Or, on a Bend Sable, a Tilt-ing Spear of the Field, is born by the Name of Shakespear, and was given by William Dethick Garter, to William Shakespear the renowned Poet." Of course, as a matter of fact, the coat was granted not to William but to his father John Shakespeare.

That this 1596 grant of arms was actually given to the Shakespeare family is held by Malone, Knight, Dyce, Hudson, Bohn, Nichols, Rolfe, Stopes, Chambers, and Tannenbaum. The customary addition of "gentleman" in connection with William Shakespeare in the legal documents should be conclusive evidence that the dramatist had lawful right to the coat. In his last will and testament, he allowed the clerk, under Francis Collins' direction, to write: "I Willim Shackspeare of Stratford vpon Avon in the countie of warr gent."

Clearly, after the death of John Shakespeare in 1601, William Shakespeare, as his oldest living son, entered upon the honorable position of head of the Shakespeare family, and very promptly he took upon himself the appellation of "gentleman." He had lawful right to that addition because William Dethick, in 1596, had issued a grant of arms to

his father John Shakespeare for the Shakespeare family.

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XXXVIII

THE COURT ORDER FOR THE ARREST OF WILLIAM SHAKESPEARE, 1596



CONTAINED in a special set of entries, "petitions for sureties of the peace," in the Rolls of the Court of the Queen's bench (Controlment Rolls, K.B. 29/234) for Michaelmas Term, 1596, is a writ of attachment or court order to the sheriff for the arrest of a group of persons, one of whom was "Willielmus Shaksperc." This writ of attachment was discovered in the Public Record Office by John Leslie Hotson, whose critical interpretation of the item appeared in his volume, *Shakespeare versus Shallow*, 1931. This writ of attachment, in its legal form and content, is a typical court order of its kind to a sheriff, thousands of which are to be found in records throughout England of that period.

The phrasing of these conventional legal documents—like the Stratford Court of Record entry statement that John Shakespeare had no goods that could be levied on—must not be taken too literally, nor too seriously. Thus a document may direct the arrest of someone "ob metu[m] mortis," i.e., for fear of death and mutilation of his limbs; but this is an oft-recurring phrase in Elizabethan records for security of the peace, indeed in old Anglo-Saxon law, and had become conventional.

Actual blows or actual injury were not a prerequisite for such a court order: fear that such things might occur was sufficient, if properly sworn to before the Justice of the Peace. The main consideration was that such procedure should be prompted not merely by malice or

revenge. Jacob's *Law Dictionary* (edition of 1729), on "Good Behaviour" clarifies the procedure thus: "He that demands security for the peace, must make oath before the justice of the blows given [to the Complainant], or that he stands in fear of his life, or some bodily hurt, or that he fears the party will burn his house, &c., and that he doth not demand the peace of him for any malice or revenge, but for his own safety." When such information was sworn to under oath before a Justice, the Justice would then issue a written command—a writ of attachment—to the sheriff to arrest the party. The person thus arrested was then, with two bondsmen or sureties, brought before the Court, which placed the defendant under bond to keep the peace with respect to "all Her Majesty's

subjects and especially towards" the person who had sworn to the complaint. If within the time nominated in the bond—usually a year—the defendant violated his obligation to keep the peace, he and his sureties would forfeit the sum of the bond.

Whether or not the sheriff of Surrey to whom this writ was directed executed this order upon Shakespeare and upon the others named in the document, and whether or not Shakespeare and his sureties gave bond, is not known. There may have been no subsequent action and consequently no bond.

A facsimile of this writ of attachment is reproduced here as well as by Hotson in his *Shakespeare versus Shallow* (p. 8). It is here transcribed as Document 103.

While William Shakespeare always took such subsequent legal action as was necessary to clear his title to purchases he made, and while he did not hesitate to bring suit against Philip Rogers and against John Addenbrook to recover debts due him, his arrest as a potential violator of the peace is scarcely in keeping with his local contemporary reputation in London. Ben Jonson's "gentle Shakespeare," Anthony Scoloker's "friendly Shakespeare," and Henry Chettle's saying that his demeanor was "no lesse ciuill [peaceful] than he excellent in the qualitie he professes" are comments quite at variance with the thesis of this writ of attachment. Other statements of similar purport that might be cited and the fact that he apparently did not participate in the notable "War of the Theatres" (see Josiah H. Penniman, *War of the Theatres*, 1897, R. A. Small, *The Stage Quarrel*, 1899, and Robert B. Sharpe, *The Real War of the Theatres*, 1935) do not indicate that our national bard was given to violating the peace of mind of his contemporaries or to subjecting them to the hazard of bodily injury.

Perhaps in the fact that the writ of attachment was a blanket order to arrest a whole group lies the explanation. A certain William Wayte, stepson of William Gardiner, judge of the local court of Southwark, swore that these four per-

sons named in the writ had threatened him with death or else caused him to fear death at their hands. Francis Langley was the builder and owner of the Swan Theatre in Southwark; and all theater owners in 1596-97 were experiencing serious difficulty with recent orders of the Privy Council to close the playhouses. No means of identifying Dorothy Soer and Anne Lee have appeared; Hotson, with all his skill and industry in ferreting out details, found very little. As to Langley, Gardiner,

Coke (of *Institutes* and Littleton's *Tenures* fame) with violence and extortion.

William Gardiner was born in 1531, a second son of excellent family—a gentleman; in 1558, on the death of his older brother Richard, he inherited a substantial estate from his prosperous father. The same year he married the well-to-do widow of a rich merchant named Wayte whose maiden name was Lucy and whose father's coat of arms bore "lucres." She had borne to Wayte a son William—the William Wayte of this

[DOCUMENT 103]

[WRIT OF ATTACHMENT ISSUED AGAINST WILLIAM SHAKESPEARE, FRANCIS LANGLEY, DOROTHY SOER, AND ANNA LEE, 1596]

Angl[ia] ss[scire scilicet] Will[iel]mus Wayte pet[it] secur[itates] pace [pacis] v[ersu]s Will[ielm]um Shaksperre Franciscu[m] Langley Dorotheam Soer vx[or]em Joh[ann]is Soer & Annam Lee ob metu[m] mortis &c Att[achmentum] Vic[ecomiti] Surr[eie] r[etornabile] xviii M[ar]tini

[*Translation*]: England. Be it known that William Wayte craves sureties of the peace against William Shaksperre, Francis Langley, Dorothy Soer wife of John Soer, and Anne Lee, for fear of death and so forth. [Writ of] Attachment [issued and directed] to the Sheriff of Surrey, returnable on the eighteenth of [St] Martin.

Wayte, and Shakespeare, we can be more explicit.

Francis Langley was born in 1550; he was a goldsmith; and a member of the Drapers' Company; in 1582 he was appointed alnager, or inspector and sealer of woolen cloth, in London; in 1589 he had purchased in St. Saviour's Parish, Southwark, the manor of Paris Garden, where, in 1594-95, he erected the handsome Swan Theatre (of De Witt fame) which in February 1597 was occupied by the reorganized Pembroke's Men, on contract for one year, though they were not the first to occupy this playhouse; on November 3, 1596, he had secured the issue of a writ of attachment against William Wayte "ob metum mortis &c" who in 1596-97, in the Star Chamber, via several members of the clothing trade, was charged by Attorney-General

writ of attachment. Of three sons and two daughters she bore to Gardiner, the oldest son died before the death of Gardiner, which occurred on November 26, 1597, at the age of sixty-seven. Gardiner was a member of the Leathersellers Company, of which he was soon made Second Warden. In 1579 against his protest he was appointed one of the High Sheriffs of London and County of Middlesex, and for his refusal to serve was fined £200. (Such honors were imposed often on wealthy men because a Sheriff, out of his own pocket, was required to make good those taxes and subsidies in his district which were not or which could not be collected.) On Gardiner's appeal, the Lord Chamberlain reduced the fine to £50 (\$2,000), and again he refused to pay but was forced to yield; again he was appointed

[Document 103]

Entry of writ of attachment issued against William Shakespeare, Francis Langley,
Dorothy Soer, and Anna Lee, 1596. Controlment Rolls (K.B. 29/234) of the Queen's
Bench, Public Record Office, London

to the same High Sheriff's position and on his refusal to accept, again an attempt was made to collect the £200 fine, but his resistance was effective. In 1580 he carried letters for Elizabeth to the Lord Justice of Ireland; that year he was appointed Justice of the Peace in Surrey, a position that required dignity, fidelity, a sense of responsibility, and a degree of character (his commission actually recites that he possessed some such qualifications); for seventeen years, except for one year as High Sheriff of Surrey and Sussex (which were under one Sheriff), he served this district as Justice of Peace. As local judge of Southwark, a district noted for its harsh life, no record of a single litigant's or prisoner's complaint stands against him; and his record of prison committals seems actually moderate, 297 in sixteen years.

Gardiner was well-to-do—Sir Walter Raleigh and others borrowed from him—influential, defended his rights, and had the courage of his convictions: he contributed regularly to the "wheat money" of the City, but refused to pay a "prest loan" levied by the Queen on the Leathersellers Company. His will, of elaborate length, reads like that of a serious-minded, just, and kindly man. At Gardiner's funeral, on December 22, 1597, William Camden, Clarenceux King-of-Arms, directed the arrangements and procession; Thomas Lant, Windsor Herald, walked in the funeral procession; Gardiner's stepson, Wayte, carried the pennon bearing the family coat of arms; and Dr. Mountfort preached the sermon at St. Mary Magdalene in Bermondsey, where Gardiner, a life-long member, had been Warden. (See Hotson for an interpretation of these and other items somewhat at variance with the one given above.)

William Wayte was born in 1554 of well-to-do parents. He was stepson to Gardiner. His wife Joan bore him seven children, five of whom were living in 1597; on November 3, 1596, Langley had a writ of attachment issued against him, and on November 29, 1596, Wayte had a writ of attachment issued against Langley, Shakespeare, and others. In 1603, Wayte and his wife, along with

twenty-nine neighbors, became victims of the plague.

William Shakespeare at this period was a thirty-two-year-old popular poet and playwright in London in 1596, and an active member of the Lord Chamberlain's Men under James Burbage's direction at The Theatre (see Adams' *Shakespearean Playhouses*, chapter iii) in Shoreditch, which had long been the center of Puritan attack. The list of defaulters in the 1597 Subsidy Roll for St. Helen's Parish, Bishopsgate, and the subsequent documents in the case show that Shakespeare had left St. Helen's Parish and was located in 1600 on the Bankside in the Liberty of the Clink (see chapter xlv, below). In Michaelmas, 1596, in Southwark, he with Langley and others were objects of a writ of attachment "ob metum mortis," by William Wayte—William Gardiner as the Justice of Peace issuing the writ.

A bit of theater history in London at this time may throw additional light upon the point under consideration. In 1594-95, when the Swan was being built by Francis Langley, the Lord Mayor of London, outraged at the granting of a license to erect another theater, in a puritanical outburst, declared theaters to be "the ordinary places of meeting for all vagrant persons and masterless men that hang about the City, thieves, horse-stealers, whoremongers, cozeners, conny-catching persons, practisers of treason, and such other like, where they consort and make their matches, to the great displeasure of Almighty God, and the hurt and annoyance of Her Majesty's people." The Lord Mayor urged Lord Burghley, Elizabeth's chief minister, not only to forbid Langley to proceed with the Swan but also to put down "all other places" of acting in and near London. In September 1595 the Lord Mayor and Aldermen followed up their attack on playhouses with another letter to the Privy Council, pressing for the abolition of stage-playing. In the Privy Council was Henry Lord Hunsdon, Lord Chamberlain, then patron of Shakespeare's own dramatic company. Hunsdon died on July 22, 1596. On that very day plays were prohibited throughout

London and its suburbs, "For that by drawing of much people together increase of sickness is feared"; but there is no other documentary evidence of plague at this season. At about this time, 1596, Thomas Nashe, in a letter to a friend, declared: "now the players . . . are piteously persecuted by the Lord Mayor and the aldermen, and however in their old Lord's time they thought their stole settled, it is now so uncertain they cannot build upon it." Theater companies and theater owners were in continual jeopardy.

At this juncture it was William Gardiner, Justice of Peace in Southwark, who was ordered to take the necessary steps to suppress the playhouse in Bankside. He was directed to tear down the rather recently built Swan Theatre, the finest and largest then in all London. A Privy Council letter to all Justices of Middlesex County commanded, in the Queen's name, the prohibition of all plays until November 1, 1597, following. A second letter (see Dasent's *Acts of the Privy Council*, XXVII, 313) is directed to "Mr. Bowier, William Gardiner, and Bartholomew Scott, esquires, and the rest of the Justices of Surrey, requiring them to take the like order for the playhouses on the Bankside, in Southwark, or elsewhere in the said County within three miles of London." A violent quarrel thus obtained between Francis Langley and William Gardiner, one the owner of the Swan, and the other the Justice of the Peace who had been directed to see the Swan demolished. Had Gardiner employed his stepson Wayte in his legal actions against Langley? In 1591, five years before, a Thomas Heron, gentleman, had brought suit (see Exchequer Bills and Answers, Elizabeth and James I, Surrey, folio 40) against William Gardiner of Southwark, Surrey, and William Wayte, in which suit Wayte is set down as "a certain loose person of no reckoning or value, being wholly under the rule and commandment of the said Gardiner." To offset any further activities of Gardiner and Wayte against him and his theater, did Langley effect the issue of a writ of at-

tachment against the stepson and his stepfather? The entry in the Controlment Rolls, Michaelmas Term, 1596, is here given as Document 104.

And was it in retaliation on the part of Wayte that he effected the issuing, on the following November 29, 1596, of a writ of attachment against Francis Langley, William Shakespeare, Dorothy Soer, and Anne Lee? More than one such writ in Elizabethan local history was secured in retaliation: the Courts of the Queen's Bench and Common Pleas show three suits which Justice Gardiner brought against Francis Langley for slander—all in Michaelmas Term in 1596.

What could have been the connection of the popular poet and dramatist with Francis Langley such that he, William Shakespeare, was included in the general group in the 1596 writ of attachment? There is no documentary evidence that warrants a definite answer. There are, however, some enlightening facts concerning local current theatrical history.

Shakespeare's dramatic company, the Lord Hunsdon's Men, at The Theatre, were having financial troubles. James Burbage was two years in arrears in his rent and was confronting difficulties about renewing the lease, which would expire in 1597 after a run of twenty-one years from 1576. Burbage was seeking a way out and later, in 1599, under cover of night, did tear down The Theatre and convert it into The Globe on Bankside near London Bridge. On April 15, 1594, Lord Strange, the Earl of Derby, died, and soon thereafter the chief members of that troupe—Burbage, Heminges, Kempe, Pope, Bryan, and Phillips—were associated with a reorganized company under the patronage of Henry Hunsdon, the Lord Chamberlain. It is not known whether Shakespeare was in any way associated with Strange's Men, but after 1594 he was an active and important member of the Lord Chamberlain's Company (see chapter xxxv, above). "For ten days [says Adams, *Shakespearean Playhouses*, p. 73] in June 1594, they acted at Newington Butts under the management of

Philip Henslowe, then went, probably at once, to The Theatre, which they made their home until the Burbage lease of the property expired in the spring of 1597." Hotson (*op. cit.*, pp. 12-13), however, asserts the "reasonable inference" is that "My Lord Chamberlaine's seruantes," Shakespeare's dramatic company, were playing in Langley's Swan Theatre during the latter part of 1596. Certainly Francis Langley wished a tenant for his theater; indeed, in 1597, February 21, on a year's lease, Pembroke's Men occupied it, and all went well until in July, when they played *The Isle of Dogs*, attacking persons high in

ing or how zestfully any or all of them supported Langley in the bickering or whether Shakespeare or any of them actually offered violence to Wayte, no extant document tells us. Only this: when the blanket writ of attachment (not for an individual but for a group) was issued, Shakespeare was included among the four persons, two men and two women.

Hotson's identification of Shakespeare's Justice Shallow of *The Merry Wives of Windsor* with this William Gardiner may be found in his *Shakespeare versus Shallow*. The conventional identification of Justice Shallow

[DOCUMENT 104]

[WRIT OF ATTACHMENT ISSUED BY FRANCIS LANGLEY AGAINST WILLIAM GARDINER AND WILLIAM WAYTE, 1596]

Anglia ss Franciscus Langley petit securitates pacis versus Willelmum Gardener & Wilelmum Wayte ob metum mortis &c. Attachia-
mentum vicecomiti Surreie retornabile Crastino Animarum

[*Translation:*] England. Be it known that Francis Langley craves sureties of the peace against William Gardiner and William Wayte for fear of death and so forth "returnable on the Morrow of All Souls."

authority, thereby ruining their own dramatic company and forestalling the future prosperity of the Swan. Langley could get no license to reopen the Swan, but Henslowe was permitted to reopen the Rose. Much as one could wish it to be so, Hotson's "reasonable inference" has not "set all doubts at rest," as some English critics have joyously declared. Nor is there quite conclusive documentary evidence to support Adams' statement. All that can be said with certainty is that the Gardiner-Wayte combination quarreled violently with Langley in the autumn of 1596, presumably over the legal dismantling, on Privy Council orders, of Langley's Swan Theatre by Gardiner, the Justice of the Peace of Southwark; and that, on one occasion at least, the details remaining unknown, Shakespeare and two women were present. How much any or all of these persons participated in the quarrel-

with Sir Thomas Lucy may well be disregarded; likewise Professor Abel Jules Maurice Lefrance's (*Sous le Mosque de "William Shakespeare,"* 2 vols., 1918-19) identification of Justice Shallow as a certain Stephen Proctor, a Yorkshire landowner whose property at Fountains Abbey adjoined the estate of the Earl of Derby and who instituted a Star Chamber against his neighbor.

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XXXIX

JOHN SHAKESPEARE'S CONVEYANCE OF A PART OF THE BIRTHPLACE, 1597

THE original deed of bargain and sale whereby the conveyance of this toft of ground was made effective to George Badger by John Shakespeare (see Wellstood's *Catalogue of the Books, Manuscripts, . . . in Shakespeare's Birthplace*, No. 28) measures approximately 14 by 6 inches and is in Latin. This is one of a number of documents which John Shakespeare signed with his "mark," and the conventional Latin *signum* is written in juxtaposition to his mark. A facsimile of this mark and the signatures made by the clerk is here reproduced in the document. The original seal has been lost; otherwise the manuscript is in good condition. Excerpts are given in numerous places, but the most nearly accurate and complete transcript to date is that of Halliwell-Phillipps in his *Outlines* (II, 13). The transcript here given as Document 105 has been collated with that of Halliwell-Phillipps and is printed with the abbreviated legal Latin words spelled out in full. The punctuation here is strictly modern; the original, like most sixteenth-century documents of this class, is virtually unpunctuated. An English translation of the original legal Latin has been appended.

Technically a "toft" was a piece of

ground on which had stood a building "that is fallen or pulled down." This conveyance merits consideration. It was not a fine, and it was not a conventional copyhold transfer of property. It was not quite after the manner of the ordinary deed of the period; here it is a sort of deed poll in that the phrasing was that of a personal transfer of property from friend to immediate friend. In it John Shakespeare personally writes "ego."

A summary of the deed of bargain and sale is not out of place. (1) The salutation was "To all believers in Christ," a phrase not very common in deeds of the period. (2) John Shakespeare, the vendor, was identified as "yeoman, of Stratford-on-Avon, in the county of Warwick." (3) The sale price was 50 s. (about \$100). (4) George Badger, a woollen draper of Stratford, had given John Shakespeare this money. (5) John acknowledged that he had been fully paid and satisfied. (6) George Badger's heirs and executors were "to be undisturbed and exonerated in perpetuity." (7) By this present deed John Shakespeare had "bargained and sold," "given and conceded," and "confirmed" that he had conveyed to George Badger a "toft and parcel of land." (8) The "toft" was adjacent to John's property, the "Birthplace," in Henley Street in Stratford-

upon-Avon. (9) It was located as "between the free tenement of mine, aforesaid John Shakespeare on the east side and the free tenement of aforesaid George Badger on the west side." (10) It was "one-half yard" wide and "twenty-eight yards in length." (11) It extended from Henley Street on the south to the Gild Pits on the north. (12) The toft was then in the tenure of John Shakespeare—he had purchased the west end of the Henley Street property in 1575. (13) The toft was to be held by George Badger and "his heirs and assigns in perpetuity" as "from his distinguished Feudal Lord for services thereafter upon the former obligation and according to the common law"; this was but the legal method of acknowledging and recognizing the relation of the property to the Lord of the Manor. (14) John Shakespeare obligated himself to "defend the entire aforesaid toft and parcel . . . to the aforesaid George Badger and his heirs and assigns by these presents in perpetuity against all men for the above described use and service." (15) John Shakespeare gave George Badger "peaceable possession and seisin." (16) In testimony of the transfer, John affixed his signature and his seal—he made his "mark" to his name signed by the clerk. (17) The date

was January 26, 1597. (18) The five witnesses were Richard Lane, Henry Walker, William Court the clerk, Thomas Locke, and Thomas Beseley.

The occasion for this sale of this "toft," 1½ feet by 84 feet, is not far to seek. In 1594 a disastrous fire had struck Henley Street. Houses around the John Shakespeare Henley Street property ("Birthplace") and across the street were reduced to ashes. How much of the west end of John Shakespeare's house was actually burned is not now known; seemingly, to prevent further spread of the fire, the western end was pulled down by firehooks.

John Shakespeare did not rebuild. In 1597 William, who with his wife and family had resided at the Henley Street property since his marriage in 1582, bought and improved New Place across the street from the Gild Hall in Chapel Street. Here he and his family thereafter lived. George Badger, who owned property just west of John Shakespeare's home, desired to enlarge and to build. To accommodate him, John Shakespeare sold him the toft of ground off the west border of his Henley Street property. It appears that the remainder of the space of the west end was leased for an inn, set up by Robert Johnson.

Certainly the sale was not made because of abject poverty into which in 1597 John Shakespeare had supposedly descended. The year before, in 1596, he had made application for a coat of arms and had evidently been awarded it (see chapter xxxvii); and a footnote to the draft lists him as having goods and lands worth £500. That statement may or may not have been an exaggeration; but he had some degree of wealth, or the College of Heralds never would have granted the coat to him.

George Badger, it seems, did not himself occupy his Henley Street property adjacent to John Shakespeare's house. As a prosperous woolen draper of Stratford, he had his dwelling and draper's shop in Sheep Street next to Hamlet Sadler's place. George Badger was the son, by a second wife, of Thomas Badger, a well-to-do miller, near Stratford. By his first wife Joan he had five chil-

dren—Mary, Thomas, William, Richard, and Edward. To him and his second wife, George and Isobel were born. Thomas Badger made his will on October 17, 1571, and died the following Feb-

the Henley Street property until 1575. George Badger married a Stratford girl. He was active also in municipal affairs. Despite his ardent Catholicism, through his public spirit, his efficiency, and the

[DOCUMENT 105]

[DEED CONVEYING PART OF THE BIRTHPLACE
PROPERTY TO GEORGE BADGER, 1597]

Omnibus Christi fidelibus ad quos hoc presens scriptum pervenerit, Johannes Shakespere de Stratford super Avon in comitatu Warrewicensi, yoman, salutem in Domino sempiternam. Noveritis me, prefatum Johannem, pro et in consideracione summe quinquaginta solidorum bone et legalis monete Anglie mihi per quendam Georgium Badger de Stretford predicta, draper, premanibus solutorum, unde fateor me fideliter esse solutum et satisfactum, dictumque Georgium Badger heredes, executores et administratores suos, inde quietos esse et exoneratos imperpetuum, per presentes barganizavi et vendidi, nec non dedi et concessi, et hac presenti carta mea confirmavi, prefato Georgio Badger, heredibus et assignatis suis, totum illud toftum et parcellam terre mee cum pertinenciis jacentem et existentem in Stretford super Avon predicta, in quodam vico ibidem vocato Henlye Strete, inter liberum tenementum mei, predicti Johannis Shakespere, ex parte orientali, et liberum tenementum predicti Georgii Badger ex parte occidentali, continentem in latitudine per estimacionem dimidium unius virgate apud uterque fines, et jacet in longitudine a predicto vico vocato Henlye Strete ex parte australi usque regiam viam ibidem vocatam Gyll Pyttes ex parte boreali, continens per estimacionem in longitudine viginti et octo virgatas vel circa, et modo est in tenura sive occupacione mei, predicti Johannis Shakespere, habendum et tenendum predictum toftum et parcellam terre, cum pertinenciis, prefato Georgio Badger, heredibus et assignatis suis, ad solum et proprium opus et usum ejusdem Georgii, heredum et assignatorum suorum, imperpetuum, tenenda de capitalibus dominis feodi illius per servicium inde prius debitum et de jure consuetum. Et ego vero, predictus Johannes Shakespere, et heredes mei, totum predictum toftum et parcellam terre cum pertinenciis prefato Georgio Badger, heredibus et assignatis suis, ad opus et usum supradictis contra omnes gentes warrantizabimus et imperpetuum defendemus per presentes. Sciatis insuper me, prefatum Johannem Shakespere, plenam et pacificam possessionem et seisinam de et in predicto tofto et parcella terre, cum pertinenciis, pre-

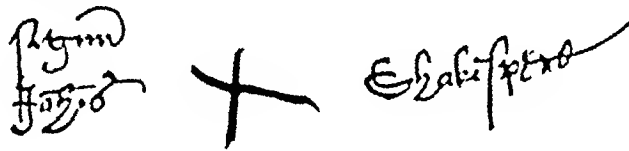
bruary 7, 1572. As early as 1565, the father settled on George a property in Henley Street—then three doors below John Shakespeare, for John Shakespeare did not purchase the west two houses of

friendship of the Quiney's, he advanced in Corporation activities: He was a Constable during the Babington plot; in 1592, he was admitted to the Corporation as a Burgess; and in 1594 he was ad-

vanced to be Alderman. Nicholas Barnhurst, John Shakespeare's companion in recusancy in 1592, a staunch Protestant and rival woolen draper, was George Badger's chief opponent. Barnhurst

in which hot words and accusations were exchanged (Badger called Barnhurst "knave" or "rascal"), both men were "expulsyd" and deprived of their Alderman's gowns. During the Gunpowder

fato Georgio Badger, secundum vim, formam, tenorem et effectum hujus presentis carte mee inde ei confecte, in propria persona mea tradisse et deliberasse. In cujus rei testimonium huic presenti scripto meo sigillum meum apposui. Datum vicesimo-sexto die Januarij, anno regni domine nostre Elizabethæ, Dei gracia Anglie Francie et Hibernie regine, fidei defensoris, etc., tricesimo nono, 1596.



Sigillatum et deliberatum, ac pacifica possessio et seiscina de tofto et parcella terre infrascriptis, deliberata fuit per infranominatum Johannem Shakespere infrascripto Georgio Badger, die et anno infrascriptis, secundum formam, tenorem et effectum hujus presentis carte, in presencia, viz., Richard Lane, Henry Walker, per me Willielmum Courte, scriptorem, Thomas Lochie, Thomas Besceley.

[The English translation of the legal Latin is as follows]:

To all believers in Christ and those to whom this present writing shall come, John Shakespeare, yeoman, of Stratford-on-Avon, in the county of Warwick, gives everlasting greeting in God. Know that I, the aforementioned John, for and in consideration of the sum of fifty shillings of good and legal English money given to me by a certain George Badger, draper, of the aforesaid Stratford, whence I acknowledge that I have been faithfully paid and satisfied and the heirs, executors, and administrators of said George Badger are to be undisturbed and exonerated in perpetuity, by these presents I have bargained and sold and indeed given and conceded and by this my present deed I have confirmed to the aforesaid George Badger his heirs and assigns all that toft and parcel of land of mine with its appurtenances adjacent to and lying in the aforesaid Stratford-on-Avon, in a certain district likewise called Henley Street, between the free tenement of mine, aforesaid John Shakespeare on the east side and the free tenement of aforesaid George Badger on the west side, bounded in width according to my estimate one-half yard between both such boundaries; and it

Of the several witnesses of this deed of bargain and sale, Henry Walker was of course outstanding. Henry Walker may have been a grandson of the Henry Walker of Snitterfield who had contacts with Richard Shakespeare, John's father, and was a mercer by trade. Walker prospered handsomely in his trade. In civic and municipal affairs, too, he advanced, being first Burgess, then Chamberlain, then Alderman, and three times High Bailiff, 1607-1608, 1624-1625, and 1635-1636. He became also a Churchwarden. Likewise, he achieved the rank of "gentleman." It will be noted that he was much younger than John Shakespeare. By a second wife, a son William was born to Henry Walker. The dramatist William Shakespeare stood as godfather at his christening; in Shakespeare's will, 1616, he bequeathed to "my godson William Walker xx^s in gold." Henry Walker, obviously, was something of a favorite in the borough of Stratford-upon-Avon.

There is documentary evidence that at about this same period John Shakespeare sold another small piece of land off his Henley Street property. The original ground certainly was irregular in shape. Legal documents of 1611, 1613, and 1638 show that such a sale had been made, but the original deed by which the transfer was made has never come to light. The fragment of ground conveyed was approximately 17 by 17 feet and was on the east near the rear of the east house, in Henley Street, commonly called the Wool Shop, which John had purchased in 1556. Edward Willis, the owner of the adjoining property, was the purchaser. A writ of settlement dated 1611 reads: "all that platt of ground conteyninge seventene footes square, that is to say, seventene footes every way, with all and singular the edifices and buyldinges thereuppon latelic erected and buylded, seitate, lienge and beinge in Strctford uppon Avon in the county of Warr., in a streete there comonlie called Henly Street, betwixt the freholde of one John Shakespeare on the west syde, and the freholde of the aforesayd Edward Wylllys on the east syde." Such descriptions commonly were repeated from

lived just below Badger's place. Both had suffered in the fire of 1594. They were militant rivals in their trades and in their activities in the Council: after a bitter controversy in one of the meetings,

Plot, the house of Badger was officially searched. The search cost the Corporation "ij^d" for candles. Regularly Badger paid his fines as a Catholic recusant—a rebel in a Protestant environment.

previous documents. A subsequent deed of 1613 calls the wool shop "a tenement late John Shakespeare"; but the description of the 17 by 17 foot fragment is virtually word for word that of the 1611 settlement. But an answer of October 1638, filed in the Court of Record, shows definitely that this square parcel of land purchased by Edward Willis actually was part of John Shakespeare's Henley Street property and that Willis desired the land as a site for some building, the erection of which he had been contemplating. The 1638 answer definitely mentions Willis' purchase, made "about fortie yeares since," as "from one Shakespeare" and as being a "parcell of land, conteyninge aboute seaventeene foote square." This was the legal description given in the 1611 writ of settlement. The 1638 answer, in part, is here given as Document 106.

One familiar with legal descriptions of property in early documents and the subsequent repetition of them in legal writs recognizes in these three documents of 1611, 1613, and 1638 a typical example of such repetition. Contrary to the Roman method of very exact descriptions of properties in legal documents, the early English method was commonly in terms of location or place. Students of early English history know the importance and significance of English local place names. English deeds even yet have not got away entirely from this description by place rather than by exact measurements. Local custom, the basis of English common law, found other expression in the practice of repeating legal descriptions almost *ad nauseam*.

John Shakespeare was accommodating to George Badger and to Edward Willis; but perhaps, too, he was glad to correct the irregularities of his own piece of ground. (The Henley Street properties of John Shakespeare are critically discussed in chapter x, above.)

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 Folger MS 447 (Halliwell-Phillipps, *Calendar*

lies in length from the aforesaid district called Henley Street from the southern end even to the royal road likewise called Gill Pitts on the north side measuring, according to estimate, twenty-eight yards in length or thereabouts; and is now in the tenure and occupation of me the aforesaid John Shakespeare. The aforesaid parcel and toft of land with appurtenances to be had and held by the aforesaid George Badger his heirs and assigns to the single and proper work and use of the said George his heirs and assigns in perpetuity, for the same to be held from his distinguished Feudal Lord for services thereafter upon the former obligation and according to the common law. And I, in truth, the aforesaid John Shakespeare, and my heirs, warrant and defend the entire aforesaid toft and parcel of land with appurtenances to the aforesaid George Badger his heirs and assigns by these presents in perpetuity against all men for the above described use and service. And know furthermore, that I, the aforesaid John Shakespeare, have given over and by these presents have delivered the full and peaceable possession and seisin of and in the aforesaid toft and parcel of land with its appurtenances to the said George Badger according to full force tenor and effect of this present deed. In testimony whereof I have hereunto set my name and affixed my seal to this present writing given this twenty-sixth day of January in the thirty-ninth year [1597] of the reign of our Lady Elizabeth, by Grace of God, Queen of England, France, and Ireland, and Defender of the Faith.

Signed and delivered and the peaceable possession and seisin of the toft and parcel of land herein described was delivered by the said John Shakespeare to the said George Badger on the day and year first above written according to the tenor, form and effect of the present deed, in the presence of Richard Lane, Henry Walker, by me William Court the scribe, Thomas Locke and Thomas Beseley.

[DOCUMENT 106]

[DESCRIPTION OF PART OF THE BIRTHPLACE PROPERTY IN A 1638 ANSWER]

The said defendant, &c., thinketh and hopeth to prove that Edward Willis, of Kingsnorton, in the countie of Wigorn, in the said bill of complaint named, was in his life tyme lawfully seised in his demesne as of fee of and in twoe small burgages or tenementes, with thappurtenances, in Stratford-upon-Avon, in the countie of Warwicke; and beinge desirous to make the same one tenement dwelling, and wantinge roome for that purpose, thereupon the said Edward Willis, &c., did about fortie yeares since purchase to him and his heires, of and from one Shakespeare, one parcell of land, conteyninge aboute seaventeene foote square (as hee taketh it), next adjoyninge to one of the said burgages or tenementes, and which parcell of ground and backside this defendant conceiveth to be the parcell of ground or backside intended by the said bill.

of *Shakespearean Rarities*, No. 112; "Abstract of Title of the Title of the Trustees of the late Mr. John Payter to a Messuage a Tenement and premises called the White Lion Inn in Stratford upon Avon")

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XL

THE STURLEY-QUINEY LETTERS CONCERNING WILLIAM SHAKESPEARE AS A MAN OF MEANS, 1597-1599

RICHARD QUINEY was a son of Adrian Quiney, a prosperous mercer having his son as a partner, who had been High Bailiff in 1559, 1571, and 1582. Richard Quiney's son Thomas married Judith Shakespeare in 1616. Their first child was named Shakespeare Quiney. Abraham Sturley, who is the correspondent with Richard Quiney in these letters, was a brother-in-law of Richard. Sturley, who sometimes spelled his name Strelley, was a Worcester man and a student of Queen's, Cambridge, who had once been in the service of Sir Thomas Lucy. He had come to Stratford in 1580 and became High Bailiff in 1596.

Sturley was a deeply religious man of the Puritan persuasion. He refers to Richard and his wife as his "brother" and "sister." Now even a casual reading of Sturley's letters shows their genuinely sincere religious tone; but it cannot be demonstrated by documentary evidence that Sturley and Quiney were so strongly Puritan as E. I. Fripp makes them out to be. "Brothers" was the conventional term used among members of the Corporation as well as within Church associations. Clearly, however, within their family relationships, in business matters, and in the affairs of the Corporation, Abraham Sturley and Richard Quiney were closely associated.

The Quiney genealogy is as difficult to trace as that of John Shakespeare. The family arms—"Or, on a bend sable, three trefoils slipped argent"—derived,

according to French (*Shakespeareana Genealogica*, p. 389), from the Quineys of Staffordshire. Their migration to Warwickshire and to Stratford cannot be traced. As early as 1497 they were in Stratford, as the entries in the Register (edited by Bloom) of the Gild of the Holy Cross evidence. Yet the pedigree of Richard Quiney back of his father Adrian is conjectural. From French, Bloom, Fripp, and Chambers, the genealogy given below on page 226 is ventured.

A. Among the Miscellaneous Documents (i, 135) in the Birthplace Museum at Stratford-upon-Avon is a letter from Abraham Sturley to Richard Quiney, dated January 24, 1598, which shows that among prominent contemporary Stratfordians William Shakespeare was considered one who had "some monci" which he was willing "to disburse . . . upon some od yardec land or othier att Shotterie or neare about us." Malone, in his *Variorum* (II, 566-69), printed a transcript as did Halliwell-Phillipps in his *Life of William Shakespeare* (pp. 172-74) and in his *Outlines* (II, 57-58). Richard Quiney was four times in London on official business for the Stratford Corporation—October 1597 to February 1598¹; October 1598 to February 1599; November to June, 1600; and January to November, 1601.

In the autumn of 1597 Richard Quiney was in London representing the

¹ For additional information concerning this visit, see chapter xlix, pp. 283-84, below.

Stratford Corporation with a petition to the Queen's Exchequer requesting that Stratford be relieved of the Parliamentary edict restraining the making of malt and likewise that it be relieved of paying a subsidy or special tax in addition to the customary tenths and fifteenths, also that the Stratford Charter be enlarged. Quiney's continued absence on Corporation business in London, where he lodged at the Bell in Carter Lane, finally led to a prolonged correspondence with Abraham Sturley. Quiney wrote frequently to Sturley, who in his replies sometimes employed bits of Latin and always revealed his sincere religious views.

Each of Abraham Sturley's communications (1) is solicitously religious in tone; (2) employs Latin freely and aptly, almost as readily as English; (3) substitutes the small letter *u* for "you," *ur* for "your," *i* for "I," suggesting a rural simplified spelling; (4) spells many words with a final *-i* instead of with *-y* or *-ie*, as in "prai," "veri," "bi," "thei," "chiefli," and "Baili," suggesting rural influence rather than metropolitan London; (5) uses final *-e*, as in "thinke," "marke," "growne," "beionde," "wecke," etc., again suggesting familiarity with an earlier period of spelling; and (6) exhibits an intimate and even gossipy atmosphere. The hostilities developing about malting; the prominence of Sir Edward Greville, Lord of the Stratford Manor; personal family affairs; a lawsuit, concerning which a financial statement was enclosed; various financial

[DOCUMENT 107]

[LETTER FROM ABRAHAM STURLEY TO RICHARD QUINEY,
JANUARY 24, 1598]

Most loving and belovedd in the Lord, in plaine Englishe we remember u in the Lord, and ourselves unto u. I would write nothings unto u now, but come home. I prai God send u comfortabli home. This is one speciall remembrance from ur fathers motion. Itt semeth bi him that our countriman, Mr. Shaksper, is willinge to disburse some monei upon some od yarde land or other att Shottesburie or neare about us; he thinketh it a veri fitt patterne to move him to deale in the matter of our tithes. Bi the instruccions u can geve him theareof, and bi the frendes he can make therefore, we thinke it a faire marke for him to shoote att, and not impossible to hitt. It obtained would advance him in deede, and would do us muche good. Hoc movere, et quantum in te est permovere, ne negligas, hoc enim et sibi et nobis maximi erit momenti. Hic labor, hic opus esset eximie et gloriæ et laudis sibi. U shall understande, brother, that our neighbours are growne with the wantes they feele throughe the dearnes of corne, which heare is beionde all other countries that I can heare of deare and over deare, malecontent. Thei have assembled togethier in a great nombur, and travelld to Sir Tho. Luci on Fridai last to complaine of our malsters; on Sundai to Sir Foulke Gre. and Sir Joli. Conwai. I should have said on Wensdai to Sir Ed. Grevll first. Theare is a metinge heare expected tomorrowe. The Lord knoweth to what end it will sorte. Tho. West, returninge from the ij. knightes of the woodland, came home so full that he said to Mr. Baili that night, he hoped within a weeke to leade some of them in a halter, meaninge the malsters; and I hope, saith Jho. Grannams, if God send mi Lord of Essex downe shortly, to se them hanged on gibbettes att their owne dores. To this end I write this cheifli, that, as ur occasion shall suffer u to stai theare, theare might bi Sir Ed. Grev. some meanes made to the Knightes of the Parliament for an ease and discharge of such taxes and subsidies wherewith our towne is like to be charged, and I assure u I am in great feare and doubte bi no meanes hable to paie. Sir Ed. Gre. is gonne to Brestowe, and from thence to Lond., as I heare, who verie well knoweth our estates, and wil be willinge to do us ani good. Our great bell is broken, and W^m. Wiatt is mendinge the pavemente of the bridge. Mi sister is chearefull, and the Lord hath bin mercifull and comfortable unto hir in hir labours, and, so that u be well imploied, geveth u leave to followe ur occasions for j. weeke or fortnight longer. I would u weare furnisht to pai W^m. Pattrike for me xj.^{li}. and bring his quittance, for I thinke his specialtie is in Jho. Knight hand, due on Candlls. daie. Yestrday I spake to Mr. Sheldon att Sir. Tho. Lucies for the staie of Mr. Burtons suite, and that the cause might be referred to Mr. Walkers of Ellyngton; he answered me that Mr. Bur. was now att Lond., and, with all his harte and good will, the suite should be staied, and the matter so referred. I have here

troubles—these were topics about which Sturley wrote. That Richard Quincy understood Latin may be deduced from the fact that Sturley employed Latin passages rather frequently in his letters. Though Sturley's letter of January 24, 1598, is a bit lengthy, it is here included as Document 107 *in extenso*, with modern punctuation for the sake of clarity.

The part of this communication which refers to Shakespeare, beginning with the fifth sentence and ending with the first passage in Latin, hints that Shakespeare (1) had ready money, (2) was considering a purchase of real estate in the region but had not yet secured any; (3) would win influential friends in the community by such purchase; (4) was quite able to make such a purchase; (5) would thereby advance himself materially in the community. The position and influence which Shakespeare's subsequent purchase of 107 acres of land from the Combes (1602) and of the Stratford Tithes (1605) brought to the dramatist is pointed out in chapters lxii and lxxi, Volume II. The chief point here is that in 1598 William Shakespeare was considered financially able to buy land and/or tithes.

B. On October 25, 1598, Richard Quincy in a letter to William Shakespeare sought from him a loan of £30 (about \$1,200). This communication, the only one yet come to light addressed directly to the dramatist, is among the Wheler MSS in the Birthplace Museum. Malone, writing to Bishop Percy in a missive of September 21, 1793, and in a note to Lord Charlemont, dated November 15, 1793, described the discovery of this Quincy-to-Shakespeare letter. Malone's two letters are now Bodleian Malone MS, 26, folio 22, and H. M. C. Charlemont MSS, ii, 220. Malone in his *Variarum* (II, 485) printed a transcript; and Halliwell-Phillipps in his *Outlines* (I, 167) printed his version of it. D. H. Lambert's *Shakespeare Documents* (p. 28), E. I. Fripp's *Master Richard Quyny* (p. 138), F. C. Wellstood's *Catalogue of the Books, Manuscripts, . . . in Shakespeare's Birthplace* (No. 45), and E. K. Chambers' *William*

Shakespeare (II, p. 102, and Plate XVII) contain transcripts and facsimiles. When Malone recounted its discovery, the letter was in a bundle of letters to and from Richard Quiney which were in the Stratford Corporation archives. The fact that it was found among Richard Quiney's effects suggests that perhaps he never actually sent the communication to William Shakespeare. The transcript here given as Document 108 is directly from the original. The facsimiles (letter and direction) appearing in this work are reproduced by permission of the officials of the Birthplace Museum.

Richard Quiney was in London during the eighteen weeks from October 1598 to February 1599, representing the Corporation in a laborious and ultimately successful attempt to secure government relief from certain taxes imposed on Stratford-upon-Avon, but which the town, because of serious recent fires, found it difficult to pay. From this letter it is clear that, on the day he wrote it, October 25, 1598, Richard Quiney had business at the Court. On that day the Privy Council met at Richmond. At such meetings there were present, at one or more of its three sittings, the disciplinarian Archbishop Whitgift; Lord Keeper Egerton; Earl Marshall Essex; Lord North, Treasurer of the Royal Household; Master Comptroller Knowles; Lord Robert Cecil, the Master Secretary; Lord John Fortescue, Chancellor of the Exchequer; and the prospective Lord Treasurer Buckhurst (Lord Burleigh, the late Treasurer, had died on August 4 and his funeral had been held in Westminster on August 29). Dasent's *Acts of the Privy Council* (XXX, 232 ff.) gives the recorded details of the meeting. That very night Quiney wrote further to Sturley up at Stratford and complained of his difficulties with his case for the Corporation and despaired of the hindrance occasioned by affairs of the Court. On December 17 following, Lord John Fortescue recommended relief to Stratford to the extent of £75; and the Privy Council granted the recommendation.

From this letter requesting a loan of £30 from William Shakespeare, it ap-

inclosed a breife of the reckoninge betwene him and me, as I would have it passe, and as in æquitie it should passe, if he wil be but as good as his faith and promise. Good brother, speake to Mr. Goodale that there be no more proceeding in tharches bi Mr. Clopton, whom I am content and most willinge to compounde withall, and have bin ever since the beginnunge of the laste terme, and thearefore much injured bi somebodie, that I have bin put to an unnecessarie charge of xx.^s. and upwardes that terme; whereas I had satisfied Mr. Clopton, as I was credibli made beleve by some of his servantes. I was allso assured of the staie of suit bi Mr. Barnes in the harvest, and bi Mr. Pendlebury the latter end of the terme. Mi brothr Woodward commeth up att the latter end of this weeke, who will speake with Mr. Clopton himselfe to that purpose. U understand bi mi letter I sent bi our countryman Burnell that masse Brentt dispatchd 50^l. for u. Jh. Sdlr bounde alone as yeat. Because Mr. Brbr might not have it for 12. moneths, he would none att all, wherebi I lost mi expectation, and leafte, I assure u, in the greatest neede of 30^l. that possibli maie be. In truth, brother, to u be it spoken and to nonne els, for want thereof knowe skarce wc. wai to turne me. Det Deus misericordia dominus exitum secundum bene placitum suum. Ur fathr with his blessinge and comendation, mi sister with her lovinge remembrance, comendes hir; in health both, with all ur children and houshold: ur fathr, extraordinari hartie, chearefull and lustie, hath sent u this remembrance innclosed. It maie be u knowe him his executr and brother, I meane of whom our brother White borrowed for me the 80^l. paihable att Mai next; his name I have not att hand. He dwelleth in Watlinge Strete. If 40^l. thereof might be procured for 6. monethes more, it would make me whole. I knowe it doeth u good to be doinge good, and that u will do all the good u can. I would Hanlett weare att home, satisfied for his paines taken before his cominge, and so freed from further travell. Nunc Deus omnipotens, opt. max., pater omnimoda consolationis, benedicat tibi in viis tuis, et secundet te in omnibus tuis, per Jhesum Christum, Dominum nostrum. Amen. Dum ullus sum tuis tum. Stretfordia, Januarii 24.

Abrah. Strl.

Comend me to Mr. Tom Bur'll, and prai him for me and mi bro. Da. Bakr. to looke that J. Tub maie be well hooped, that he leake not out lawe to our hurte for his cause; quod partim avidio non nihill suspicor et timeo.

Receved of Mr. Buttes:

| | |
|--|---|
| In beanes 23 qrs., att 3 ^s . 4 ^d . the strike | 30 ^l . 13 ^s . 4 ^d . |
| Barlei 8 qrs., and 4 str., att 4 ^s . the str. | 13 ^l . 12 ^s . 0 ^d . |
| Wheate 4 qrs. 4 str., att 6 ^s . 8 ^d . the str. | 12 ^l . 0 ^s . 0 ^d . |
| | <hr/> 56 ^l . 5 ^s . 4 ^d . |

I have paid and sowed theareof, 52^l. 11^s. 8^d. Mi Lad. Gre. is run in arreages with mi sister for malt, as it semeth, which hindreth and troubleth hir not a littell.

pears that Shakespeare was negotiating with a friend for the money which Quiney wished to borrow—"but wth all hartie thanckefullenes I wyll holde

friendliness. Quiney was anxious that Shakespeare should feel secure in making or in arranging the loan, for two securities would be arranged: "m^r

sonal persuasion. In his letter to Sturley that night Quiney wrote that Shakespeare would procure them the £30. This letter is now lost, but what its contents were may be gathered from Sturley's reply (see D, p. 230, below) of November 4 to Quiney.

[DOCUMENT 108]

[LETTER FROM RICHARD QUINEY TO WILLIAM SHAKESPEARE,
OCTOBER 25, 1598]

Loveinge Contreyman I am holde of yo^w as of a ffrende, craveinge yo^wr helpe wth xxx^{li} vpon m^r Bushells & my securitytee or m^r myttons wth me m^r Rosswell is nott come to London as yeate & I have especiall cawse, yo^w shall ffrende me muche in helping me out of all the debett[es] I owe in London I thanke god & muche quiet my mynde wth wolde nott be indebted I am nowe toward[es] the Cowrte in hope of answer for the dispatche of my Buysenes yo^w shall nether loose creddytt nor monney by me the Lorde wyllinge & nowe butt p[er]swade yo^wrselfe soe as I hope & yo^w shall nott need to feare butt wth all hartie thanckefullenes I wyll holde my tyme & content yo^wr ffrende & yf we Bargaine farther yo^w shall be the paie m^r yo^wrselfe, my tyme hidd[es] me hasten to an ende & soe I com[em]itt thys [to] yo^wr care & hope of yo^wr helpe I feare I shall nott be hacke thys night ffrom the Cowrte. haste the Lorde be wth yo^w & wth us all amen / ffrom the Bell in Carter Lane the 25 octobr 1598 /.

yo^wr in all kyndenes

Ric. Quiney

[This letter was directed]

H*

To my Loveinge good ffrend
& contreymann m^r w^m
Shakespeare dlr thees /.

[Seal: On a bend three trefoils slipped]

* Chambers (*William Shakespeare*, II, 102) interprets the lightly made, fairly large, capital "H" to be the word "H[aste]". Yet this "H" is written neither with the same pen nor by the same hand—and not in the same ink—as the direction just below it. Indeed, the character consists merely of two perpendicular and parallel strokes of the pen with a cross stroke at right angles to the two parallel perpendicular strokes. These strokes appear to have been made with a modern steel pen, whereas the direction itself was written in contemporary Elizabethan script and with a quill pen. Such a capital "H" is not met with in Elizabethan script—let alone Elizabethan rural script of the sort employed by Richard Quiney. See Samuel A. Tannenbaum's *Handwriting of the Renaissance* (1930) for facsimiles of Elizabethan script letters.

my tyme & content yo^wr ffrende." It appears, too, that Richard Quiney had expected to secure the loan from one Rosswell.

The letter is a model of epistolary

Bushells & my securitytee or m^r myttons wth me." "Contreyman" was a term of strong fellowship. Also "the Lorde be wth yo^w" and "yo^wr in all kyndenes" were stock phrases of religious and per-

The persons mentioned in this letter cannot be identified. Rosswell may have been Peter Rosswell, "gentleman," of Welcombe. The Rosswells appear in early seventeenth-century records. Bushell may have been an Edward Bushell, a worsted weaver who in 1587 was a surety with John Shakespeare. In a Folger MS, the 1591 presentment of the Corporation of the borough boundaries has an Edward Bushell among the jurors of the Court Leet (see chapter ix, p. 109, above). One of Richard Quiney's sons (Adrian) married a Bushell. Mytton still remains unidentified; he may have been a Londoner, for the name is not a familiar one among the Stratford records.

C. In late October or in early November 1598—for the missive is not dated—a letter from Adrian Quiney to Richard Quiney his son in London indicates that the matter of a loan from Shakespeare was still under consideration. This letter is in the Miscellaneous Documents (i, 131) in the Birthplace Museum. Halliwell-Phillipps printed a transcript in his *Life of William Shakespeare* (p. 175) and in his *Outlines* (II, 58-59).

It was directed "To my lovyng sonne Rycharde Qwyney at the Belle in Carter Leyne deliver thesse in London." Family affairs, business concerns, and the loan from Shakespeare were treated in the note. "Yff yow bargin with W^m. Sha . . or receve money therfor, brynge youre money homme that yow maye; and see howe knite stockynges be sold; there ys gret byinge of them at Aysshome." A quantity of semigossipy information was packed into this short missive. Here it is printed in full as Document 109, with modern punctuation for clarity.

D. On November 4, 1598, Abraham Sturley wrote a letter to Richard Quiney in reply to Quiney's letter of October 25. This letter is among the Miscellaneous

Documents (i, 136) in the Birthplace Museum. Malone in his *Variorum* (II, 569) printed a transcript, and Halliwell-Phillipps printed one in his *Life of William Shakespeare* (pp. 175-77) and in his *Outlines* (II, 59-60). The communication, signed "Abrah. Sturlei," was directed: "To his most lovinge brother Mr. Richard Quiney, att the Bell in Carterlane att London, geve these. Paid 2^d." The "Mr. Grenwai" of this letter was William Greenway, carrier from London to Stratford, who died in 1601. The "Paid 2^d." is the post charge—about 35 cents. The letter declares "that our countriman Mr. W^m. Shak. would procure us monei, which I will like of as I shall heare when, and wheare, and howe."

This letter of Sturley's has all the earmarks of his letter to Quiney of January 24, 1598: (1) rural spellings; (2) deeply religious tone; (3) semigossipy material; (4) close intimacy. It is clear that the Sturley-Quiney combination was having financial difficulties. Details are not revealed by this letter alone; the other letters that passed between the two men are necessary in order to learn them. Those letters—not all are extant—cannot be reprinted here.

The letter, despite its length, is here reprinted *in extenso* as Document 110, with modern punctuation for clarity.

E. On November 24, 1598, Daniel Baker wrote a letter to Richard Quiney which suggests that Richard Quiney was expecting to receive £20 or £30 from London. This was the third letter from Baker to Quiney. It seems that Baker had heard of the Shakespeare loan. The letter is among the Miscellaneous Documents (i, 124) in the Birthplace Museum. The entire letter was devoted to business, and only one short passage is interesting to Shakespearean scholars:

My aunt Quiney telleth me that you are to receive £20 or £30 in London, and that you will pay some money for me if need be; and in that respect I have lent her some money already to serve her occasions.

Daniel Baker was somewhat conspicuous in Stratford life: (1) His wife, Joan Taylor, was stepsister of Abraham Sturley's wife, Anne Hill. (2) He called

[DOCUMENT 109]

[LETTER FROM ADRIAN QUINEY TO RICHARD QUINEY, 1598]

Yow shalle, God wylling, receve from youre wyfe by Mr. Baylye, thys brr, asowrance of x.^s; and she wold have yow to bye some grocerye, yff hyt be resonable; yow maye have carryage by a woman who I wylyd to com to you. Mr. Layne by reporte hath receved a great summ of money of Mr. Smyth of Wotten, but wylle not be knowyn of hyt, and denyd to lende your wyff any, but hys wyff sayd that he had receved v.li. which was gevyn hyr, and wysshd hym to lent that to your wyff, which he dyde; she hopyth to mayk provyssyon to paye Mr. Combes and alle the rest. I wrot to yow concerning Jhon Rogers; the howsse goythe greatlye to de kaye; ask secretli therin, and doo somewhat therin, as he ys in doubt that Mr. Parsonss wylle not paye the 3^{li}. 13^s. 4^d. Wherfor wryte to hym, yff yow maye have carryage, to bye some such warys as yow may selle presentlye with profet. Yff yow bargin with W^m. Sha . . or receve money therfor, brynge youre money homme that yow maye; and see howe knite stockynges be sold; ther ys gret byinge of them at Aysshorne. Edward Wheat and Harrye, youre brother man, were both at Eryshorne thys daye senet, and, as I harde, bestow 20^{li}. ther in knyt hosse; wherefore I thynke yow maye doo good, yff yow can have money.

[DOCUMENT 110]

[LETTER OF ABRAHAM STURLEY TO RICHARD QUINEY,
NOVEMBER 4, 1598]

All health, happines of suites and wellfare, be multiplied unto u and ur labours in God our Father bi Christ our Lord. Ur letter of the 25. of Octobr came to mi handes the laste of the same att night per Grenwai, which imported a stai of suites bi Sr. Ed. Gr. advise, untill &c., and that onli u should followe on for tax and sub. presentli, and also ur travell and hinderance of answeare therein bi ur longe travell and thaffaires of the Courte; and that our countriman Mr. W^m. Shak. would procure us monei, which I will like of as I shall heare when, and wheare, and howe; and I prai let not go that occasion if it mai sorte to ani indifferent condicions. Allso that if monei might be had for 30 or 40^l., a lease, &c., might be procured. Oh howe can u make dowbt of monei, who will not beare xxx. tie or xl.^s. towards sutch a match. The latter end of ur letter which concerned ur houshold affaires I delivered presentli. Nowe to ur other letter of the 1^o of Novmbr receved the 3^d. of the same. I would I weare with u; nai, if u continue with hope of those suites u wrighte of, I thinke I shall wt. content; and I will most willingli come unto u, as had u but advise and compani, and more monei presente, much might be done to obtaine our charter enlargd, ij. faires more, with tole of corne, bestes and

sheepe, and a matter of more valewe then all that; for (sai u) all this is nothinge that is in hand, seeinge it will not rise to 80^l, and the charges will be greate. What this matter of more valewe meaneth I cannot undrstand; but me thinketh whatsoever the good would be, u are afraid of want of monci. Good thinges in hand or neare hand can not choose but be worth monci to bringe to hand, and, beinge assured, will, if neede be, bringe monci in their mouthes, there is no feare nor dowbte. If it be the rest of the tithes and the College houses and landes in our towne u speake of, the one halfe weare abundantli riteli for us; and the other halfe to increase S^r. Ed. rialties would both beare the charge and sett him sure on; the which I take to be your meaninge bi the latter parte of ur letter, where u write for a copie of the particulars, which allso u shall have accordngli. Oh howe I feare when I se what S^r. Ed. can do, and howe neare it sitteth to himselfe, leaste he shall thinke it to good for us, and procure it for himselfe, as he served us the last time; for it semeth bi ur owne wordes there is some of hit in ur owne conceite, when u write if S^r. Ed. be as forward to do as to speake, it will be done; a dowbt I assure u not without dowbt to be made; whereto allso u ad, notwithstandinge that dowbt, no want but monci. Somewhat must be to S^r. Ed. and to each one that dealeth somewhat and great reason. And me thinketh u need not be affraid to promise that as fit for him, for all them, and for urselke. The thinge obtained no dowbte will pai all. For present advise and encouragmente u have bi this time M^r. Baili, and for monci, when u certifie what u have done and what u have spent, what u will do, and what u want; somewhat u knowe we have in hand, and God will provide that we shall be sufficient. Be of good cowrage. Make fast S^r. Ed. bi all meanes, or els all our hope and ur travelles be utterli disgraced. Consider and advise if S^r. Ed. will be faste for us, so that bi his goodwill to us and his meanes for us these thinges be brought about. What weare it for the fee-farme of his rialties, nowe not above xij. or xiiij.^l, he weare assured of the dowble, when these thinges come to hande, or more, as the goodnes of the thinge procured proveth. But whi do i travell in these thinges, when I knowe not certainli what u intende, neither what ur meanes are, nor what are ur difficulties preciseli and bi name, all which must be known bi name, and specialli with an estimate of the charge before ani thinge can be added either for advise or supplie. I leave these matters therefore unto the Almightyes mercifull disposition in ur hand, untill a more neare possibilitie or more leisure will encourage u or suffer u to write more plainli and particularli. But withall the Chancell must not be forgotten, which allso obtained would yeald some pretti gub of monci for ur present busines, as I thinke. The particulars u write for shalle this morninge be dispatched and sent as soone as mai be. All is well att home; all ur paimentes made and dispatchd; mi sister saith if it be so that u can not be provided for M^{rs}. Pendllbur, she will, if u will, send u up x.^l towards that bi the next after, or if u take it up, pai it to whom u

Richard Quiney's wife, Elizabeth, his "aunt"; hence he was a "nephew" of Quiney. It may be that Daniel Baker's mother was a sister of Richard Quiney's wife. (3) He was from Henley-in-Arden. (4) On February 8, 1598, he was elected one of the Aldermen of the Corporation, in whose work he became very active. (5) "Coscn" Baker, who appears in Thomas Greene's "Diary" may have been this Daniel Baker; Greene's having married William Chandler's mother provided a rather distant connection. (6) Abraham Sturley called Daniel Baker "brother," probably not because of his being a member of any Puritan brotherhood but because of his being a "brother" in the Corporation.

Aside from the information contained in these five letters little is known about the Shakespeare loan. From Daniel Baker's note it would appear that the loan of £30 was actually secured either from Shakespeare himself or from one of his friends. The important thing is that in 1598-99 William Shakespeare had some financial standing in his home community.

A study of these letters shows: (1) the rather intimate relations between the Quineys and the Sturleys; (2) private matters, family items, financial duress, interests of the Corporation, etc., intermingled in the same missive; (3) the Quineys and the Sturleys experiencing financial straits and seeking funds with which to buttress their unsteady business; (4) the Corporation eager to receive an enlarged Charter (it had received its first one in 1553, and it secured a second one in 1610); (5) Richard Quiney in London to effect relief from the tenths and fifteenths and subsidies (special taxes) granted by Parliament in 1597-98, on account of recent devastating fires in Stratford; (6) on January 27, 1599, Richard Quiney succeeding in getting relief, by royal warrant, from some of the taxes; and (7) a revealing cross section of certain phases of rural Stratford life at the close of the sixteenth century.

This period in Shakespeare's life was an important one: (1) In 1596 his family had, through his father, achieved a

coat of arms. (2) In 1597 he bought New Place. (3) On November 24, 1597, John Shakespeare proceeded, in a bill of complaint in the Court of Chancery, against John Lambert to recover a property which was in the possession of Lambert. (4) In February 1598 William Shakespeare was listed as one at Stratford who was forestalling and engrossing malt. (5) In 1597-1600 William Shakespeare was defaulting his payment of taxes in London. (6) His great comic creation, Falstaff, in *Henry VI* was treading the Elizabethan stage. (7) In 1598, for the first time, a title page bore the name William Shakespeare, quartos of *Richard II* and *Richard III*. (8) In 1598 Francis Meres in his *Palladis Tamia* listed Shakespeare as one of the classic English poets. (9) In 1599 William Jaggard published *The Passionate Pilgrim* and accredited it to Shakespeare. (10) And the Sturley-Quiney correspondence shows that he was considered fairly well-to-do by certain prominent Stratfordians.

Moreover, it is clear from other documentary evidence in this present work that not only was William Shakespeare known to and highly regarded by the better folk in Stratford-upon-Avon, but also the great dramatist definitely regarded his native village as his permanent, legal residence. Here he had established his permanent home, New Place, in 1597; here, later, he made purchases of valuable real estate; to this place he retired, and here he was buried.

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 GEORGE RUSSELL FRENCH, *Shakespeareana Genealogica*, 1869, Table IV, p. 391, for a Quiney pedigree
 J. W. WALTER, *Shakespeare's True Life*, 1890, p. 97

appointe. W^m. Wallford sendeth order and monei per W^m. Court nowe cominge, who hath some cause to feare, for he was neweli served with proces on Twsdai last att Alcr. per Roger S. Mr. Parsons supposeth that Wenlock came the same dai with Mr. Baili that u writt ur letter. He saith he supposeth u mai use that x.^l for our brwinge matters. W^m. Wiatt answered Mr. Ba., and us all, that he would neither brwe himselfe, nor submitt himselfe to the order, but bi those veri wordes make against it with all the strength he could possibli make, yeat we do this dai begin Mr. Bar. and miselfe a littell for assai. My bro. D. B. att Shrewsburi or homeward from thence. But nowe the bell hath runge mi time spent. The Lord of all power, glori, merci, and grace and goodnes, make his great power and mercie knowen towards us in ur weakenes. Take heed of tabacco whereof we heare per. W^m. Perri; against ani longe journei u mai undertake on foote of necessiti, or wherein the exercise of ur bodi must be imploied, drinke some good burned wine, or aqavitæ and ale strongli mingled without bread for a toste, and, above all, kepe u warme. Farewell, mi dare harte, and the Lord increase our loves and comfortes one to another, that once it mai be sutch as becometh Christianiti, puriti, and sinceriti, without staine or blemishe. Fare ye well; all ur and ours well. From Stretford, Novem. 4th, 1598. Urs in all love in the best bond,

Abrah. Sturlei.

Mrs. Coomb, when Gilbert Charnocke paid them their monei, as he told me, said that if ani but he had brought it, she would not receive it, because she had not hir gowne; and that she would arrest u for hit as soone as u come home, and much twattell; but att the end, so that youe would pai 4^l toward hit, she would allowe u xx.^s, and we shall heare att some leasure howe fruictes are, and hoppes, and sutch knakkes. Att this point came W^m. Sheldon, the silke man, with a warrant to serve W^m. Walford againe upon a trespasse of 500^l.

[This letter is directed]:

To his most lovinge brother, Mr. Richard Quinei, att the Bell in Carterlane att London, geve there.
 Paid 2^d.

JOHN ROCHE DASENT, *Acts of the Privy Council*, 32 vols., 1890-1907

JOHN HARVEY BLOOM, *The Register of the Gild of Holy Cross at Stratford-on-Avon*, 1907

EDGAR I. FRIPP, *Minutes and Accounts of the Corporation of Stratford-on-Avon*, 1921-30 (good historical background in "Introduction"); *Master Richard Quiny*,¹ 1924,

pp. 137-54 (replete with detailed information, but not so well digested nor so well interpreted); *Shakespeare Man and Artist*, 1938, II, secs. 85, 106

FREDERICK C. WELLSTOOD, *Catalogue of Books, . . . in Shakespeare's Birthplace*, 1925

E. K. CHAMBERS, *William Shakespeare*, 1930, II, 101-6

LESLIE HOTSON, *I William Shakespeare*, 1938, chap. vii

¹ Edgar I. Fripp in the Preface to his *Master Richard Quiny* (1924) announced that the Quiney correspondence would "shortly appear in full" under his and Mr. Richard Savage's joint authorship. At

the time of Mr. Fripp's death, the volume had not appeared. His collection of MSS is now the property of the Birthplace Museum.

CC acres of lands CC acres of pasture XX acres of medowe XL acres of wode & An hermitage w^t the app[ur]ten[au]nces in ryenchifford etc. in the Countey of Warwike A Burgage w^t the app[ur]ten[au]nces lying in Stretford vpon aven in the said Countey." This legal instrument suggests something of the property interests of the Clopton family.

5. On July 20, 1532, William Clopton II executed an indenture of conveyance of New Place as part of her "marryage money" to his sister Elizabeth. This document is Folger MS 451.10 (parchment, 18½ by 12 inches, sealed but not signed, in Gothic script) and is endorsed, "Indent[ure] of c[er]ten coven[au]ntes by twen will[ia]m Clopton esquier and elisebeth Cole liys syst[er] for hyr marryage money . . ." It is to be noted that New Place was in the tenure of Adrian Quiney, father of Richard Quiney, Shakespeare's intimate friend and the grandfather of the Thomas Quiney who in 1616 married Judith, Shakespeare's younger daughter. The rent of "xli [about \$80] by yere" is in striking contrast to the £10 (about \$400) a year paid by Dr. Thomas Bentley in 1543. The indenture describes the property as "one capytall messuage or manour place, called New Place . . ." This 1532 indenture reads:

This Indenture made the xxth day of Julye between Wylliam Clopton of thone p[ar]tye and Elyzabeth Clopton syster of the said Will[ia]m of tother p[ar]tye . . . And one other messuage or ten[emen]te sett & beyng in Stratford aforsaid in the chapell streete there callyd the Newe Place nowe in the holdyng or occupac[i]on of one Adrayne Quenney to the yearly value of xl^s by yere. . . .

6. On November 20, 1543, in a lease, William Clopton II let New Place to Dr. Thomas Bentley for a term of forty years at a yearly rental of £10. The lease, however, included, besides New Place, lands at Ryon Clifford and Ingon for his cattle and horses. Bentley was a man conspicuous in his profession: (a) born at Woodstock; (b) scholar at New College, Oxford,¹ where he became M.B. in 1516 and M.D. in 1519; (c) in 1521

called to Court and in 1524, on the death of Linacre, appointed one of the King's Physicians; (d) in 1525 and several times thereafter elected President of the College of Physicians; (e) in 1537 honored by Jane Seymour with a gold brooch and, by 1539, with emoluments at Court all but equaling those of Sir William Butts. He retired, famous, to Stratford, where he took a lease of New Place from William Clopton II on November 20, 1543. He was the proud possessor of a quantity of plate; his will (Prerogative Court of Canterbury 6 Coade) shows him to have had a degree of generosity. He was a Protestant; his will declares, "only trusting and firmly believing to be saved by the faith that I have in Christ, who did suffer for the redemption of one and all mankind, therefore not by the prayers of men or angels or the Virgin Mary."

Before this forty-year lease expired, Dr. Bentley secured a substitute lease, one which would remain in force during the life of his wife Anne in the event of her becoming widowed. When the doctor died in 1549, Clopton did not find the widow an amenable tenant: on her marrying Master Richard Charnock of Welcombe, the lease was forfeited; but she entered suit in chancery to continue the occupancy of New Place. Clopton's answer to the widow's complaint asserts: "The said Thomas Bentlye ys deceased out of this present lyf, and hath lefte the said manour place in great ruine and decay and unrepayryd and it dothe styll remayne unrepayryd ever sythen the deathe of the same Thomas to the greate damage and los of the defendand." The original bill in chancery, following the description in the lease, identifies the property thus: "one capytall messuage or manour place in Stratforde-vppon-Haven in the countye of Warwyk called the New Place." Fripp (*Shakespeare Studies*, p. ii) says, "To get the Charnocks out, Clopton apparently put his son in, shortly before April 1559"—on what documentary evidence

¹ See *Register of Oxford University, 1449-63, 1505-71* (edited by C. W. Boase and published by Oxford Historical Society, 1885), I, 89.

² See also Fripp's *Shakespeare Studies*, pp. 9-10.

is not clear. William Clopton II died in 1560, and William Bott witnessed his will.

7. On February 20, 1563, by an indenture of bargain and sale, William Clopton III conveyed New Place to prosperous William Bott, of Snitterfield, a lawyer and the agent of Clopton. At the time of sale, Bott was already occupying the property. This indenture is Folger MS 451.8 (parchment, 18¾ by 9¼ inches, seal wanting, signed "By me withm Clopton"). The description of New Place in this indenture pretty definitely identifies the adjoining properties which abut on the north, the south, the east, and the west. On the back of a lease (drawn in 1572) for the rental of a property just east of the New Place grounds, there is an endorsement (apparently of the later period, 1603-16, of James I), part of which reads, "The barne on the west sid bounds by Mr William Shaxpeare of Pynley Holt and on the est sid on the Kings land William Wyatt of Stratford yeoman."

Circumstantial evidence but not documentary evidence supports the statements of Fripp (*Shakespeare Studies*, pp. 10-11) and Chambers (*William Shakespeare*, II, 98) that Bott, who was the agent for the Cloptons, was "unscrupulous" in his method of securing possession of New Place. Bott's reputation actually was not of the best: Richard Simons the Town Clerk (see Fripp's *Shakespeare Studies*, pp. 52-53) had little respect for Bott's honesty; Bott quarreled with Rowland Wheeler of Henley-in-Arden, calling each other "villain" and "rogue" (see Court of Record Register, Miscellaneous Documents, v, 15, 68 f., 186). Squire Clopton protested that Bott "received his rents, withheld the money, and forged a deed relating to his lands." John Walsingham declared on oath that Bott "oppressed divers poor men, and took away their cattle; whereupon they went to one Master Underhill, a man of law, a very good man dwelling near by, and did desire help for God's sake as they were utterly undone: who did take the matter in hand. . . . No poor man might dwell by [Bott] if Master Underhill did not

assist him." His "approbrious words" to Richard Hill, High Bailiff, effected his expulsion, May 9, 1565, from the Corporation and made room for one John Shakespeare as Alderman and one Nicholas Barnhurst as Burgess. And see section 9, below, for his suit against Richard Spooner for trespass. In defense of Bott it should be cited that the Council Book for 1564 shows him contributing more than any other resident to the Stratford poor.

The Cloptons, always devoted Catholics, with the accession of Protestant Elizabeth in 1558, began to lose something of their prominence in the community. However, the sale of New Place to Bott seems to have been occasioned by William II's too great generosity in his bequests in his will: the resources of the estate were not equal to the bequests; hence the new heir to the estate, William Clopton III, was obliged to relinquish some of his individual holdings.⁸ Bott, who was Clopton's agent and also seemingly a Catholic, was a not illogical person to whom to sell New Place. So far as Stratford history is concerned, Bott soon passed out of the picture; he was buried at his native Snitterfield, November 1, 1582. This 1563 indenture reads:

This Indenture made the twenty daye of february in the fyfte yere of the reign of ye soueryn Lady Elizabeth Between Will[ia]m Clopton of Clopton in the Countie of warr Esquier of thone p[ar]tye And will[ia]m Botte of Stratford vpon Avon in the said County gent on tother p[ar]tye Witnesseth that the said will[ia]m Clopton for & in Considerac[i]on of the Som[m]e of one hundreth & fortye poundes of lawfull money of England to hym in hand [the Conveyance comprises considerably more property than merely New Place] to the said will[ia]m Botte All that his Capitall messuage & garden therunto belonging wth all & singuler these App[ur]ten[au]nces scytuate lyeinge & beinge in the towne of Stratford vpon Avon aforesaid in A Streete there called the Chappell streete Betwene the tenement late Thom[as] Philypys nowe in the tenure of Rich-

ard wagestaff on the North p[ar]te and the Lane called walkers lane Als walker streete on the South p[ar]te And the Barne & backe yarde late belonginge to the Chauntrye of Eytinton on the east p[ar]te And the said streete called chapell streete on the west p[ar]te which messuage & gardyn wth thapp[ur]ten[au]nces ys nowe in the tenure & occupacyon of the said will[ia]m Botte

8. On December 20, 1563, in an indenture relating to the manor of Clopton, William Clopton III of Clopton legally recognized Bott's rights in New Place which had been a part of the Clopton manorial estates. This document is Folger MS 451.9 (parchment, 15 $\frac{1}{8}$ by 10 $\frac{3}{4}$ inches). It is signed "Wyllm Clopton" on the seal-tab—a good Clopton signature—and on the back are the names of the witnesses: "Lodowyk Greuill, Will[y] parker, Thomas webbe et alior." Perhaps it was Bott's shrewdness as a lawyer that prompted this second indenture guaranteeing additional clearness of title "to thuse of the said william Bott." Whatever the legal point involved, the two indentures definitely alienated New Place both from William Clopton *per se* and from the Clopton manorial estates. This 1563 legal instrument reads:

This Indenture made the tuentethe daye of December in the Syxte yere of the Raigne of ouer Soueraigne Lady Elizabeth Between will[ia]m Clopton of Clopton in the Countie of warr Esquier on thone parte And Will[ia]m Bott of Stratford vpon Avon in the said Countie and John Goodale in the said Countie on tother partie Witnesseth [Clopton covenants concerning the manor of Clopton] one messuage withe thapp[ur]ten[au]nces in Stratford vpon Avon in the occupac[i]on of the said will[ia]m Bott p[ar]cell of the premises cauled the newe place shalbe to thuse of the said william Bott his heirs,

9. From June 18, 1565, to September 12, 1565, William Bott brought action against Richard Spooner, a painter who lived three houses east of New Place, for trespass on the New Place property—a close in Chapel Lane called "le barne yarde" nigh "le newe place gardyn." The plea which on September 12, 1565,

Bott filed against Spooner has the first mention of a garden attached to New Place. Its curious intermingling of pseudo-French, Latin, and English words and phrases is not infrequent in documents of this sort in rural places in Elizabethan England. The "Great Garden" (its history is not entirely clear), much larger than the small one mentioned in this suit as attached to New Place, was up to 1544 a part of the Priory of Pinley. An excerpt (Latin) is here quoted from Halliwell-Phillipps' *Outlines* (II, 104):

Willielmus Bott queritus versus Ricardum Sponer de placito transgressionis, et sunt plegii de prosequendo, videlicet, Johannes Doo et Ricardus Roo, unde idem Willielmus, per Jacobum Woodward, attornatum suum, dicit quod predictus Ricardus, xvij. die Junii, anno regni domine Elizabethae Dei gracia Anglie Francie et Hibernie regine, fidei defensoris, etc., septimo, vi et armis, etc., clausum ipsius Willielmi Bott vocatum *le barne yarde*, jacens et existens in Stretford predicta juxta *le newe place gardyn*, in quodam venella vocata Dede Lane apud Stretford predictam, infra jurisdictionem hujus curie, fregit et intravit, et duodecim pecias de meremiis vocatas *xij. peces of tymber squaryd and sawed precii* quadraginta solidorum, de bonis cattallis ipsius Willielmi Bott adtunc et ibidem inventas, cepit et asportavit, unde idem Willielmus dicit quod deterioratus est et dampnum habet ad valenciam centum solidorum,

10. On September 1, 1567, in an indenture of bargain and sale (Fripp, *Shakespeare Studies*, p. 12, says "in July 1567") William Bott for £40 (about \$1,600) conveyed New Place to William Underhill (Inner Temple, London), whom the poorer people of Stratford considered their lawyer and who was the rival of Bott. This document is Folger MS 451.11 (parchment, 25 by 14 $\frac{1}{2}$ inches, badly mutilated, two large circular pieces having been cut out of the document). It is signed "p me willm Bott elisabeth bot By me Alben Heton." The house was not in good repair; horns of litigation, quarrels, and personal animosities had gathered round Bott's head; perhaps he was not averse to relieving himself of his Stratford holdings.

⁸ For accurate details concerning the Cloptons, see Fripp's *Shakespeare's Haunts*, pp. 127-34.

[illegible]

In any event, soon afterward he retired to his native Snitterfield. The "messuage and garden" were conveyed for £40, perhaps a goodly sum considering the condition of New Place. Underhill secured also the manors of Barton-on-the-Heath, Idlicote, and Loxley, besides other Warwickshire property. (See

Heton & Alvon Heton of London gentleman on the one p[ar]tye and Wyll[ia]m Underhyll of Newbold Revell yn the Countye of warr gentleman of the other p[ar]tye [MS mutilated] . . . poundes of good & lawfull money of England . . . [MS mutilated] the Newe place sette lyeng & beyeng yn Stretforde vpon Avon

[DOCUMENT 111]

[FOOT OF FINE FOR SHAKESPEARE'S PURCHASE
OF NEW PLACE, 1597]

H[a]ec est finalis concordia f[ac]ta in cur[ia] d[omi]ne Regine apud Westm[onasterium] a die pasche in quinq[ue] Septimanca anno regnor[um] Elizabeth dei gra[tia] Angli[e] ffranc[ie] & hib[er]nie regine fidei defens[or] & a conqu[estu] tricesimo Nono coram Ed[mund]o Anderson Thoma Walmsley ffrancisco Seammons & Thoma Owen Justic[iariis] & alijs d[omi]ne Regine fidelib[us] tunc ibi presentib[us] Int[er] Will[ielmu]m Shakespeare quer[entem] et Will[ielmu]m Underhill gen[er]osum defor[ciantem] de vno messuagio duob[us] horreis & duob[us] gardinis cum p[er]tin[enciis] in Stratford sup[er] Avon vnde pl[ac]it[u]m conuencio[n]is s[um]monit[um] fuit int[er] eos in eadem cur[ia] Scil[icet] q[uo]d p[re]d[i]c[t]us Will[ielmu]s Underhill recogn[ovit] p[re]d[i]c[t]a ten[ementa] cum p[er]tin[enciis] esse ius ip[s]ius Will[ielmu]i Shakespeare vt illa que idem Will[ielmu]s h[ab]et de dono p[re]d[i]c[t]i Will[ielmu]i Underhill et illa remisit & quiet[um] clam[avit] de se & hered[ibus] suis p[re]d[i]c[t]o Will[ielmu]o Shakespeare & heredi[bus] suis Imp[er]p[etuu]m et p[re]tera idem Will[ielmu]s Underhill concessit p[ro] se & hered[ibus] suis q[uo]d ip[s]i Warant[izabunt] p[re]d[i]c[t]o Will[ielmu]o Shakespeare & hered[ibus] suis p[re]d[i]c[t]a ten[ementa] cum p[er]tin[enciis] Imp[er]p[etuu]m et p[ro] hac recogn[icione] remissione quietaclam[ancia] Warant[ia] fine & concordia idem Will[ielmu]s Shakespeare dedit p[re]d[i]c[t]o Will[ielmu]o Underhill Sexaginta libras sterlingorum

Warr

Fripp's *Shakespeare Studies*, pp. 12-13, for details about Underhill; likewise J. H. Morrison's *The Underhills of Warwickshire*. This 1567 indenture contains the following passage:

This Indenture made the ffyrste daye of September in the nyynth yere of the reggne of o^r sow[er]aygn[e] ladye Elizabeth by the gr[a]ce of God . . . [Between] will[iam] Botte of Stra [MS mutilated] . . . hys wyffe otherwyse callyd Elizabeth

aforesayd yn A Strette there callyd the Chappell Strete together wth all oulettes easementes . . . [MS mutilated] . . . [The muniments, conveyances, charters, etc., etc. for this property covenanted for. Note: William Shakespeare must himself have once possessed these earlier Indentures, etc.] . . . both putte theyre Seales the daye & yere aboue wrytten.

11. By a fine dated Easter Term, 39 Elizabeth, 1597, William Underhill^a of

Inner Temple, London, for £60 (about \$2,400) conveyed New Place to William Shakespeare. The "foot" of the fine,^b which measures approximately 9 by 5¼ inches, is in the Public Record Office, where it bears the identification MS Warwick, 39 Elizabeth, 1597, Easter, 237. The facsimile of that document is reproduced in this present work by the gracious consent of the officials of the Public Record Office. In the transcript^c here given as Document 111 the abbreviated Renaissance Latin legal words are spelled out in full, the added necessary letters for complete grammatical forms being enclosed in brackets.

This fine was recorded officially by the clerk of the Court on the following "4 May A^o 39 Elizabeth [1597]" in the Court of Westminster, which had jurisdiction in such matters as conveyance of land. The official, legally certified copy of a foot of fine was known as an "exemplification." Halliwell-Phillipps (*Outlines*, II, 106-7) printed a good facsimile of this May 4, 1597, exemplification, the original of which is now among the Wheler papers in the Birthplace Museum (see Wellstood's *Catalogue of the Books, Manuscripts, . . . in Shakespeare's Birthplace*, 1925, No. 30).

Such an exemplification contained two things: (1) the clerk's entry of the record in the Court proceedings, in this case the royal Court of Westminster, that such a record was being made; and (2) a legal and attested copy of the instrument being recorded, in this case the foot of fine of 1597 by which William Underhill conveyed New Place to William Shakespeare. It will be readily seen, by comparing the two documents, that the original Easter Term 1597 foot of fine was copied, virtually word for word, into the exemplification of the following May 4. For the first time in printed form the complete exemplification is here given, as Document 112,

^a For the genealogy of the Underhills, see chapter lxxv, Volume II.

^b See chapter x, n. 4, p. 113.

^c Transcripts may be found in Chambers's *William Shakespeare* (II, 95-96) and Halliwell-Phillipps's *Outlines* (II, 104-5). Chambers's transcript is of the exemplification (see Document 112).

with an English translation of the legal Latin in which the original (fine and introductory Court record) was set down. The document is without punctuation. The transcript here presented has the Renaissance Latin words spelled out in full with the necessary letters added to complete the grammatical forms enclosed in brackets.

This exemplification is a royal document of the time of Elizabeth; hence, a large letter appearing at the upper left of the document is an unfinished large scroll capital "E." It was sketched, but was never filled in. The name "Crompton" at lower right is that of the clerk who made the copy and the entry. While this document does not mention "New Place," the inference must not be made that Shakespeare first gave the name New Place to his home; R. B. Wheler, in his *History and Antiquities of Stratford-upon-Avon* (p. 135), is wholly incorrect in asserting that Shakespeare "changed the name to New Place, which appellation it retained till its demolition." Earlier documents show definitely that it had been called New Place long before the dramatist acquired it.

A brief analysis of the 1597 exemplification is in order: (a) A record of a fine was made according to the requirements of the statute in such cases. (b) It was recorded in the presence of the justices of the Queen's bench in Westminster. (c) It was recorded five weeks from the first of Easter in the year 1597. Note that it is dated in the "thirty-ninth year of the reign of Elizabeth" (1558 + 39 = 1597) and also in the "thirty-ninth year from the Conquest"; this latter phrase is virtually a meaningless one. (d) The record was entered before Edmund Anderson, Thomas Walmsley, Francis Seamons, and Thomas Owen, justices, the copied foot of fine being an actual Court record of an earlier fictitious suit to regain possession of a property that another party is wrongfully possessing. (e) William Shakespeare⁷ is the complainant. (f) William Underhill, gentle-

man, is the defendant. (g) The question at issue concerns "one messuage, two granaries, & two gardens with ap-

the aforesaid tenement is the rightful property of William Shakespeare, and (j) that the property is the same that

[DOCUMENT 112]

[EXEMPLIFICATION OF THE FINE RECORDING THE CONVEYANCE
OF NEW PLACE TO WILLIAM SHAKESPEARE, 1597]

Elizabeth dei gra[tia] Angli[e] ffranc[ie] & hib[er]n[ie] Regina fidei Defensor &c Om[n]ib[us] ad quos p[re]sentes hae n[ost]rae p[er]uenerint Sal[u]te[m] sciat[is] q[uo]d int[er] recorda[tur] ac pedes finiu[m] tunc p[ro] clam[avit] inde fa[cti]s S[e]c[un]d[u]m formam Statuti in huiusmodi casu nuper edit[o] & p[ri]mis Coram justic[us] n[ost]ris de Banco apud Westm[insterium] & p[ri]mo pasche Anno regni n[ost]ri tricesimo nono continet[ur] ac warr[ick] ss [scire scilicet] haec est finalis concordia fa[ct]a in cur[ia] D[omi]nae Reginae apud Westm[insterium] A die Pasche in quinque septimanca anno regnor[um] Elizabeth dei gra[tia] Angli[e] ffranc[ie] & hib[er]n[ie] reginae fidei Defens[or] &c A Conqu[estu] tricesimo nono coram Edmundo Anderson Thoma Walmysley ffrancisco Seammons & Thoma Owen justic[iariis] & alijs D[omi]nae Reginae fidelib[us] tunc ibi p[re]sentib[us] Int[er] Will[ielmu]m Shakespeare quer[entem] et Will[ielmu]m Underhill gen[er]osum deforc[iantem] de vno mesuagio duob[us] horreis & duob[us] gardinis cum p[er]tin[enciis] in Stratford sup[er] Avon vnde pl[a]c[itum] conuenc[i]o[n]is sum[monitum] fuit int[er] eos in eadem cur[ia] Scil[icet] q[uo]d p[re]d[i]c[t]us Will[ielmu]s Underhill recogn[ovit] p[re]dict[a] ten[ementa] cum p[er]tin[enciis] esse jus ipsius Willi[elmu]i Shakespeare ut illa que idem Will[ielmu]s h[ab]et de dono p[re]d[i]c[t]i Willi[elmu]i Underhill et illa remiset & quiet[um] clam[avit] de se & hered[ibus] suis p[re]d[i]c[t]o Will[ielmu]o Shakespeare & hered[ibus] suis Imp[er]p[etuu]m Et p[re]ter[ea] idem Will[ielmu]s Underhill concessit p[ro] se & hered[ibus] suis q[uo]d ip[s]i Warant[izabunt] p[re]d[i]c[t]o Will[ielmu]o Shakespeare & hered[ibus] suis p[re]d[i]c[t]a ten[ementa] cum p[er]tin[enciis] Imp[er]p[etuu]m & p[ro] hac recogn[icione] remissione quiet[um] clama[n]cia Warant[ia] fine & concordia idem Will[ielmu]s Shakespeare dedit p[re]d[i]c[t]o Will[ielmu]o Unverhill Sexaginta libras Sterl[ingor]um In cuius rei testimoniu[m] Sigillum n[ost]r[u]m ad S[c]ribat in Banco p[re]d[i]c[t]o Sigillatis deputat[is] p[re]sentib[us] apponi feam [?] &c E[dmundo] Anderson apud Westm[insterium] iiij^o die maij Annoque r[egis] n[ost]ri sup[ra]d[i]c[t]o.

Crompton

purtenances in Stratford-upon-Avon."

(h) A meeting in Court was summoned.

(i) William Underhill recognizes that

William Shakespeare holds by gift of

William Underhill. (k) William Underhill now remises, quitclaims, etc.,

⁷ It is to be noted that, although the Shakespeares had been granted a coat of arms in 1596, on this foot of fine of 1597 William is not identified as "generoso," "gentleman." Not before 1601, on the death of his father, did he become head of the Shakespeare family.

this property not only for himself but for his own heirs forever, and (l) to William Shakespeare and his heirs forever. (m) William Underhill and his heirs guarantee the property to William

was according to ancient legal custom. It had the virtue of putting definite end to any further litigation; hence the "fine," that is "end," finality. It will be recalled (see chapter x, note 4, and fac-

third copy was written crosswise and at the "foot" of the other two. Every foot of fine is thus a legal "finalis concordia" or final agreement.

By this Latin indenture, William Shakespeare definitely established his permanent home in his native Stratford—not in London. Subsequent documents devising or conveying this and other of Shakespeare's property show definitely the intent of both the poet and his family to keep the property *en tail*, that is, in the line of direct blood descent.

There may have been a very real reason for William Shakespeare's purchase of New Place. To his father's house in Henley Street, in all probability, he had brought his bride when they were married in 1582. This is what the oldest son customarily did at his marriage; for upon his shoulders devolved the responsibility for the continuity of the family and probably there would have been a hint of scandal had he not done so—the Rogerses, the Hornbys, the Wheelers, the Quineys, the Smiths, the Sadlers, and almost every other prominent Stratford family that had a married eldest son maintained such a double household.

John Shakespeare's property consisted of three "houses" immediately adjoining each other, the middle one of which had a two-story addition projecting into the garden at the rear. This rear projection, as may be seen today, had its own kitchen, fireplace, and other accommodations giving admirable privacy for a second household. Yet during the 1594 disastrous fire in Stratford, the Henley Street property suffered heavily and the east and middle parts of Shakespeare's property were saved only by fire-hook demolition of the west part.

This loss reduced the living quarters of the Shakespeare family; and the purchase of New Place by William, now prospering as a playwright, was a natural expedient. Houses in Stratford, as a result of heavy fire losses in 1594 and 1595, were not very plentiful; yet New Place, for all its state of "ruyne and de-

[English translation of the exemplification]:

Elizabeth by the grace of God Queen of England, France, & Ireland, Defender of the Faith &c to all to whom these our presents shall come, greetings. Be it known to you that it is recorded & that a foot of fine then is proclaimed made there according to the form of the statute in a case of this kind lately published in particular in the presence of our justices of the Bench at Westminster on the first Easter in the thirty-ninth year [1597] of her reign in the County of Warwick. That is to say: This is the final agreement made in the Court of Her Majesty the Queen at Westminster from Easter Day in five weeks in the thirty-ninth year of the reign of Elizabeth by the grace of God Queen of England, France, & Ireland, Defender of the Faith, &c. and in the thirty-ninth year from the Conquest, in the presence of Edmund Anderson, Thomas Walmsley, Francis Seamons, & Thomas Owen, Justices & others faithful to the Queen's Majesty then there present in Court. Between William Shakespeare complainant and William Underhill gentleman defendant in regard to one messuage, two granaries, & two gardens with appurtenances in Stratford-upon-Avon, whence a plea of meeting between them has been summoned in the same Court To wit that the aforesaid William Underhill has recognized the aforesaid tenement with appurtenances to be the right of William Shakespeare himself that those which the same William holds by gift of the aforesaid William Underhill, he remised & quitclaimed them for himself & his heirs to the aforesaid William Shakespeare & his heirs forever and, besides, the same William Underhill has granted for himself & his heirs that they themselves will warrant to the aforesaid William Shakespeare & his heirs the aforesaid tenements with appurtenances forever, & for this recognition, remission, quitclaim, warrant, fine, & agreement, the same William Shakespeare has given the aforementioned William Underhill sixty pounds sterling. In witness whereof our hands are written and seals are appended in the aforesaid Court in the presence of Edmund Anderson at Westminster the fourth day of May in the year and reign above written.

Crompton

Shakespeare forever. (n) For this recognition, William Shakespeare paid William Underhill £60 sterling.

This appears to modern ears to be a strange procedure; but this method of securing legal possession of a property

simile of the 1602 fine, Volume II) that of the three copies made—one for the vendor, one for the vendee, and one for the record in the Court—the first two copies were written lengthwise on the parchment and parallel, while the

* An excellent explanation of a foot of fine is in Thomas Manly's *The Clerk's Guide* (1672), Part IV, pp. 661–62. See also Chetwynd's *Treatise on Fines* (1774).

caye," offered relief. William Shakespeare's subsequent purchases, every item but one (Blackfriars property in London in 1613) in or near Stratford, his native town, show conclusively that he considered it his permanent home and not London. In subsequent documents where he is identified, it is usually as William Shakespeare of Stratford-upon-Avon. To Stratford he retired; in Stratford he was buried; and there the monument was erected to his memory.

No authentic illustration of New Place has come down to modern times. Samuel Ireland's reproduction in his *Picturesque Views on the Warwickshire Avon*, 1795, is not to be taken seriously; nor is any other early sketch worthy of consideration. Halliwell-Phillipps (*Outlines*, II, 110, from a 1663 Warwick MS preserved at Warwick) states that the structure had a frontage of 60 feet and a breadth in one place of 70, and that the house was 28 feet high. It abutted upon the Nash house to the north.⁹ It contained ten fireplaces and many more rooms. With its great garden and with its somewhat desirable location at the corner of Chapel Street and Walker's Lane, New Place offered possibilities if repaired and improved. Theobald, who had acquaintance with Sir Hugh Clopton, said, in 1733, that Sir Hugh had told him that when Shakespeare purchased New Place he "repair'd and modell'd it to his own mind." The entry in "The accountt of Wyllyam Wyatt Chamberlen in this yeare 1598," January 12, "Pd to m^r shaxspere for on lod of ston . . . x^d," suggests that, in the repairing, stone was used and some of the residue was sold to the Corporation, which, at that very time was repairing Clopton Bridge by some filling in. The reference could not very well be to John Shakespeare—at least there is no contemporary documentary evidence that he was doing any repairing or building at that date.

Of such descriptions of New Place as have come down to us from early times, those of Leland (1543) and Richard

[DOCUMENT 113]

[INDENTURE CONFIRMING THE SHAKESPEARE INHERITANCE TO
SUSANNA HALL, ELIZABETH NASH, AND THOMAS NASH, 1639]

This indenture tripartite made the seaven and twentieth day of May, anno Domini 1639, and in the fifteenth yeare of the raigne of our soveraigne lord Charles, by the grace of God, King of England, Scotland, Fraunce and Ireland, Defendour of the Faith, &c. Betweene Susan Hall of Stratford upon Avon in the countie of Warwicke widowe, Thomas Nash of Stratford upon Avon aforesaid in the countie of Warwicke esq., and Elizabeth his wife, of the ffirst parte; George Nash of the borrough of Southwarke in the countie of Surrey gent., and Edmond Rawlins of Stratford upon Avon aforesaid in the said countie of Warwicke gent., of the second parte; and George Townsend of Staple Inn in the countie of Middlesex gent., and John Stephens of Staple Inn aforesaid in the said countie of Middlesex gent., of the third parte, Witnesseth that the said Susan Hall, Thomas Nash, and Elizabeth his wife, as well for the better barring and determyning of an estate in taile heretofore made of all or some part of the messuages, lands, tenements, and hereditaments hereafter in theis presents mencioned, and for the settling of all the same messuages, lands, tenements, and hereditaments hereafter in theis presents mencioned, to such uses and in such manner as hereafter in theis presents is declared and mencioned, as also for divers and sundry other good causes and reasonable consideracions them the said Susan Hall, Thomas Nash and Elizabeth his wife, hereunto specially moving, doe in and by theis presents for themselves, their heires, executors, and administrators, covenaut promise and graunt to and with the said George Nash and Edmond Rawlins, their heires, executors, and administrators, by theis presents, that they the said Susan Hall, Thomas Nash, and Elizabeth his wife, shall and will before the end of Trinitie Terme next ensuyng the date hereof, in and by one or more ffyne or ffynes to be levied with proclamacions, according to the forme of the statute in that case made and provided, by names and tearmes meete and convenient, recognize and acknowledge all that messuage or tenement with thappurtenaunces, scituate and being in Blackffriers, London, neere the Wardrobe, now or late in the tenure or occupacion of . . . Dicks, cordiner, and heretofore in the occupacion of one John Robinson; and all that one other messuage or tenement with thappurtenaunces scituate and being in Acton in the countie of Middlesex, nowe or late in the occupacion of one . . . Leerewood or his assignes; and all that capitall messuage or tenement with thappurtenaunces scituate and being in Stratford upon Avon in the said countie of Warwicke, commonlie called or knowne by the name of the New Place; and all those two other messuages or tenements with thappurtenaunces scituate and bein in Stratford upon Avon aforesaid, in a certaine streete there called Henley streete, and nowe or late in the severall occupacions of Jane

⁹ In the gable of the Nash house one may still see today evidence of the resting or abutment of the original oak rafters of the north gable of Shakespeare's house.

Hiccox and Johan Hart, widdowes; and all and singular howses, edifices, buildings, chambers, cellars, sollers, lights, casements, barnes, stables, backsides, orchards, gardens, profitts, and commodities whatsoever, to the said severall messuages or tenements or any of them belonging or in any wise apperteyning, or accepted, reputed, esteemed or taken as part, parcell, or number of the same, or any of them; and all those fower yards land and a halfe of arrable, meadowe and pasture, with thappurtenaunces, lying and being in the townes, hamblettis, villages, feilds and grounds of Stratford upon Avon, Ould Stratford, Bishopton, and Welcombe, in the countie of Warwicke, and all other the messuages, lands, tenements and hereditaments whatsoever, scituate lying and being in the townes, hamblettis, villages, feilds and grounds of Stratford upon Avon, Ould Stratford, Bishopton and Welcombe, or any of them in the said countie of Warwicke, which heretofore were the inheritance of William Shakespeare gent. deceased, late father of the said Susan, to bee the right of the said George Nash, as those which the said George and Edmond shall have of the guift of the said Susan Hall, Thomas Nash, and Elizabeth his wife, and the same shall remise and quite clayme for them and their heires unto the said George Nash and Edmond Rawlins, and to the heires of the said George Nash for ever. And the said Susan Hall, Thomas Nash, and Elizabeth his wife, shall further by the same ffyne or ffynes graunt for them and their heires, that they shall warrant the said messuages or tenements, lands, and all and singular other the premisses, in the said ffyne or ffynes to bee comprised, to the said George Nash and Edmond Rawlins, and to the heires of the said George Nash for ever. And it is covenanted, graunted, concluded, and fullie agreed, by and betweene all the said parties to theis presents, that the said ffyne or ffynes to bee levied in manner and forme aforesaid, or in any other manner or forme, shallbe and shallbe deemed, accepted, reputed, adjudged and taken to bee, and the cognisee or cognisees in the said ffyne or ffynes to be named, and his and their heyres, immediatelic from and after the levyinge and ingrossing of the said ffyne or ffynes, shall stand and bee seised of and in the said messuages, lands, tenements, and hereditaments, in the said ffyne or ffynes to bee comprised, to the onlic use and behoofe of the said George Nash and Edmond Rawlins, their heires and assignes, for ever, and to none other use, intent, or purpose whatsoever; to the end, intent, and purpose, that the said George Nash and Edmond Rawlins may bee perfect tenants of the ffrechould and inheritance of all and singular the said messuages, lands, tenements, and premisses, against whome one or more common recovery or recoveries may bee had and suffered of all and singular the said premisses, according to the usuall forme of common recoveries, in such cases used and accustomed: And for that purpose, it is covenanted, graunted, concluded, and fullie agreed, by and betweene the said parties to theis presents, that the said George Townsend and John Stephens, or one of them, shall and will before the end of the terme

Grimmitt are the most reliable. Leland observed (as already quoted): The town "hathe 2 or 3 very large stretes. . . . The towne is reasonably well buyldyd of tymbar. . . . There is a right goodly chappell in a faire streate toward the southe end of the towne. . . . This chappell was newly reedified in mind of man by one Hughe Clopton, Major of London. . . . This Clopton buildid also by the north syde of this chappell a praty howse of brike and tymbar, wherein he lay [of course, this was incorrect] in his lattar dayes and dyed." To the Rev. Joseph Greene, Stratford's first antiquarian, and at that period (1746-87) head of the Grammar School, we are indebted for his recording, "October y^e 24th, 1767," the description of New Place by Richard Grimmett (born January 1682). The transcript (erasures and deletions omitted) here printed is taken direct from Greene's MS copy in the Folger Library (Folger MS 452):

This Rich^d the younger Said He in his youth had been a playfellow with Edw^d Clopton Sen^r eldest son of S^r John Clopton Kn^t & had been often with him in y^e Great House near y^e Chapel in Stratford, call'd New: Place: that to y^e best of his remembrance there was a brick Wall next y^e Street, with a kind of porch at that end of it near y^e Chapel; when they cross'd a small kind of Green Court before they enter'd y^e House which was bearing to y^e left, & fronted with brick, with plain windows, Consisting of Common panes of Glass set in lead, as at this time.

A ground plan and plot of New Place was reconstructed and printed by Halliwell-Phillipps (*Outlines*, II, 120), and a steel engraving of the presumed west frontage of New Place and the north frontage of the Gild Chapel (*ibid.*, p. 132) was reproduced. The originals of all of these, as well as numerous other drawings and sketches relating to New Place, reproduced by Halliwell-Phillipps, are now among the materials in the Folger Shakespeare Library.

In Shakespeare's possession, in due time, New Place became one of the outstanding properties in Stratford. In the time of John Hall, 1631, its "buds" and "shoots" had more than merely local

fame, as evidenced by the Sir Thomas Temple "Shakespeare Garden Letter" (Huntington MS) discussed in chapter cix, Volume II. The Chamberlains' Accounts for the Corporation, 1614, have the entry: "Item for one quart of sack and one quart of clarett winne, geuen to a preacher [a Puritan(?) and not a priest(?)] at the newe place. xx^d [a generous allowance]." On July 11-13, 1643, Queen Henrietta Maria, during the Civil War, for three days held her court in this house; Susanna Shakespeare Hall, whose husband John Hall had died in 1635, must have been her host.

12. In Michaelmas Term of 1602 a second fine was levied on New Place when Hercules Underhill confirmed the property as belonging to William Shakespeare. Shortly after 1597 William Underhill had died, and it was discovered that poison had been administered by his son and heir Fulke, who died a minor the following year. Because of Fulke's felony the property was forfeited but regranted to Underhill's second son, Hercules. Since the 1597 fine had warranty from the heirs of William only and since Hercules was not strictly his heir, a second fine seems to have been necessary to protect Shakespeare's interests. Details of the second fine (1602) are given in chapter lxxv, Volume II.

13. To continue the history of Shakespeare's New Place: on September 9, 1609, Thomas Greene, in a memorandum in his own handwriting on the delay in delivery to him of a house by George Browne, indicates that he had been a resident of New Place. Greene had hoped that Browne would give him possession of the premises by Lady Day, 1610, and had made arrangements to that end. Browne, however, during the summer of 1609, appears, for reasons at present unknown, to have changed his mind about relinquishing the house, and Thomas Greene, steward, lawyer and town clerk (1603-1616) of Stratford, as was his custom, made written notes on the matter.

Greene, who called Shakespeare his "cousin," was not related by blood to Shakespeare. He was a Warwickshire man who had come from London to

of St. . . . next ensuyng the date of theis presents, pursue and prosecute one or more writt or writts of entry *sur disseisin in le post* against the said George Nash and Edmond Rawlins, whereby hee or they shall demaund the said messuages, lands, tenements, and all and singular other the premisses in the said ffyne or ffynes to bee comprised, against the said George Nash and Edmond Rawlins, to which writt or writts of entry *sur disseisin* the said George Nash and Edmond Rawlins shall appeare and vouch to warrantie the said Susan Hall, Thomas Nash, and Elizabeth his wife, who shall enter into the said warrantie, and shall vouch over the common vouchee, to the end and intent that one or more perfect recovery or recoveries may bee had and executed of the said messuages, lands, tenements, and all and singular other the premisses in the said ffyne or ffynes to bee comprised, according to the usuall manner and forme of common recoveries in such cases used and accustomed. And it is further covenanted, graunted, concluded, and agreed, by and betweene the said parties to theis presents, that the said recoverie or recoveries so to be had, suffered, and executed, of the said messuages, and of all and singular other the said premisses in the said recoverie or recoveries to bee comprised, and the full force and execucion of the same, shalbee and enure, and shalbe adjudged, accepted, reputed and taken to bee and enure; and the said recoverer or recoverors, and his and their heires, immediatelie from and after the said recovery or recoveryes so had, suffered and executed, shall stand and bee seised of and in all and singular other the said messuages, lands and premisses, in the said recovery or recoveries to bee comprised, and of everie part and parcell of them and every of them, to the severall uses, intents, and purposes hereafter mencioned, That is to say, of for and concernyng the said messuage or tenement with thappurtenaunces in Acton aforesaid, to the onely use and behoofe of the said Thomas Nash and Elizabeth his wife, for and during the terme of their naturall lives and the life of the longest liver of them, and after their deceases to the use and behoofe of the heires of the bodies of the said Thomas Nash and Elizabeth his wife betweene them lawfullie to be begotten, and for want of such issue, to the use and behoofe of the heires of the bodie of the said Elizabeth lawfullie to bee begotten, and for want of such issue, to the use and behoofe of the said Thomas Nash, his heires and assignes for ever; and of for and concerning all and singular other the messuages, lands, tenements, and hereditaments whatsoever, whereof no use is herein before lymitted and declared, to the onelie use and behoofe of the said Susan Hall for and during the terme of her naturall life, and after her decease, to the use and behoofe of the said Thomas Nash and Elizabeth his wife for and during the terme of their naturall lives, and the life of the longest liver of them, and after their deceases, to the use and behoofe of the heires of the bodies of the said Thomas Nash and Elizabeth his wife betweene them lawfullie begotten or to bee begotten, and for default of such issue, to the use and behoofe of the heires of the bodie

of the said Elizabeth lawfullie begotten or to bee begotten, and for default of such issue, to the use and behoofe of the said Thomas Nash and of his heires and assignes for ever, and to none other use or uses, intent or purpose whatsoever. In witnes whereof to one part of theis indentures remaynyng with the said Susan Hall, Thomas Nash, and Elizabeth his wife, they the said George Nash, Edmond Rawlins, George Townesend, and John Stephens, have sett their hands and scales; and to another part thereof remaynyng with the said George Nash and Edmond Rawlins, they the said Susan Hall, Thomas Nash, and Elizabeth his wife, George Townesend, and John Stephens, have sett their hands and scales; and to the other part thereof remaynyng with the said George Townesend and John Stephens, they the said Susan Hall, Thomas Nash, and Elizabeth his wife, George Nash, and Edmond Rawlins, have sett their hands and scales the day and yeare first above written.

Stratford in 1601 and had become prominent in Stratford affairs. No documentary evidence is known concerning the circumstances under which Greene resided at New Place: the domicile was large enough to provide room for him and his wife, and perhaps they rented from the Shakespeares; it may be that

14. On March 25, 1616, in his will, William Shakespeare took special pains to establish the entail of his real estate (Stratford Tithes were not included, for they were on lease; John Hall in 1624 sold them back to the Corporation). New Place was not omitted. See chapter xcvi, Volume II.

[DOCUMENT 114]

[PASSAGES FROM THE WILL OF THOMAS NASH BEQUEATHING
NEW PLACE TO EDWARD NASH, 1642]

. item I geve dispose and bequeath unto my kinsman Edward Nash and to his heires and assignes for ever one messuage or tenement with the appurtenances comonly called or knowne by the name of the New Place scituate lieinge and beinge in Stratford-upon-Avon in a streete there called or knowne by the name of the Chapell Streete

. . . . and now in the tenure and occupacion of mee the sayd Thomas Nash [The Combe lands and Blackfriars house in London, bequeathed Susanna in 1616, are included]

he had only his law office at New Place, for the memorandum does not affirm his actual residence there; and perhaps he had some distant relationship with the Shakespeares and Greene and his wife were welcome company for Anne and the family while Shakespeare was absent in London and especially on tours in the country. Greene's "Diary" (MS in the Birthplace Museum) is discussed in chapter xciv, Volume II.

15. On May 27, 1639, an indenture in tripartite was executed whereby Susanna Hall (widow of John Hall), Thomas Nash, and Elizabeth Nash, his wife (and daughter of the Halls) confirmed New Place and other holdings of the entailed estate as bequeathed to Susanna in the poet's will (1616), "to the onlie use and behoofe of the said Susan Hall for and during the terme of her naturall life, and after her decease, to the use and be-

hoofe of the said Thomas Nash and Elizabeth his wife for and during the terme of their naturall lives." This indenture was occasioned by two disturbing facts: Early in 1639 the two surviving sons of Judith Quiney, younger daughter of Shakespeare who had married Thomas Quiney in 1616 and to whom three sons had been born (1617, 1618, and 1620), had unexpectedly died; and Judith herself, now fifty-four, had long since been deserted by her husband; thus the devise in Shakespeare's will with regard to Judith and her children as heirs was accepted as void. This legal indenture served to restore the Shakespeare blood descendants who were not males, whereas the will of 1616 especially provided for inheritance through "mailes."

The original indenture is in the Birthplace Museum. It is signed by "Geo. Nashe, Edm. Rawlings, Susanna Hall, Geo. Townsend, and John Stephens." The five seals remain; that of Susanna Hall bears the Hall arms—three talbots' heads erased—and impales the Shakespeare arms. Halliwell-Phillipps' *The Life of William Shakespeare* (pp. 309-12) prints a full transcript of the document. Modern punctuation is added for clarity. It is here given as Document 113.

16. On August 26, 1642, wealthy Thomas Nash, a shrewd and capable barrister by profession, apparently acting under the impression that the indenture of 1639 enabled him to bequeath New Place and other real estate devised by Shakespeare's will, in his will (rather favorable to his own family)¹⁰ bequeathed New Place, the Combe arable land, and the Blackfriars home in London to his cousin Edward Nash, son of George Nash. The codicil directs that Edward Nash shall settle the property on his own son, Thomas Nash. Malone's abstract of this will is reprinted in Halliwell-Phillipps' *The Life of William Shakespeare* (pp. 312-13). This

¹⁰ Though by an attached nuncupative codicil, April 4, 1647, the day of his death, he gave his "mother Mrs. Hall fifty pounds," and made other bequests which indicate that he was not wholly unfriendly to the Shakespeare-Quiney-Hathaway families.

will, if carried out, would have had the effect of diverting the Shakespeare inheritance to one not a blood descendant of the poet.

Thomas Nash died in 1647; his wife Elizabeth by his will was the executrix and sole residuary legatee during her lifetime; in 1649 she married John Barnard of Abington. The Nashes were occupying New Place in 1647. At the very time of Elizabeth's husband's death, soldiers were quartered with them, one of whom, on April 30, 1647, was implicated in a robbery of deer from the pack of Sir Greville Verney.

The passages from Nash's will are here given as Document 114.

17. In Easter Term, June 2, 23 Charles I, 1647, Elizabeth Nash joined her mother Susanna Hall, both widows, in levying a fine and recovery, issued in tripartite, on New Place and the other Shakespeare-inherited properties, to recover and re-establish their legal entailed rights as effected by the indenture of May 27, 1639, and as voided (?) by the will of Thomas Nash, August 26, 1642. Mrs. Nash probably was not present at New Place when her husband made this will and thereby bequeathed property in which she, as a blood descendant of William Shakespeare, had legal interest. Accordingly she declined to carry out the provisions of the will and, instead, resorted to this legal action.

A fine and recovery was, as will be detected on reading the entire document, a legal action by which a given property was, in Court, fictitiously conveyed to another party, who acknowledged immediate possession and who, in turn, conveyed the property back to the original possessor. An excellent discussion and exemplification of this legal action at English law is in Thomas Manly's *The Clerks Guide* (1672 ed.), Part IV, pp. 526-34, "An Addition of Fines and Recoveries," and pp. 661-729. See also William Searle Holdsworth's *An Historical Introduction to English Land Law* (1927).

The original document is in the Birthplace Museum. It is signed by Susanna Hall, Elizabeth Nash, Richard Lane, and William Smith. The signatures of

[DOCUMENT 115]

[FINE AND RECOVERY RESETTLING THE SHAKESPEARE INHERITANCE ON SUSANNA HALL AND ELIZABETH NASH, 1647]

This indenture tripartite made the second day of June, in the three and twentieth yeare of the raigne of our Sovereigne Lord Charles, by the grace of God of England, Scotland, France and Ireland, king, Defender of the ffaith, &c. Betweene Susan Hall, of Stratford upon Avon in the county of Warwicke widow, and Elizabeth Nash of Stratford upon Avon aforesaid in the said county of Warwicke widow, on the first part; Richard Lane of Stratford upon Avon aforesaid in the county of Warrickshire aforesaid gent., and William Smith of Balsall in the aforesaid county of Warwicke gent., on the seconde parte; William Hathaway of Weston upon Avon in the county of Gloucester yeoman, and Thomas Hathway of Stratford upon Avon aforesaid joyner, on the third parte; Witnesseth that whereas the said Susan Hall and Elizabeth Nash, as well for the better barringe, cuttinge off, and dockinge of a remainder in fee simple limmited upon an estate taile, heretofore made of all the messuages, lands, tenements and hereditaments hereafter in theis presents mencioned, to such uses and in such manner as in theis presents is specified and declared, as alsoe for divers and sundry other good causes and reasonable considerations them the said Susan Hall and Elizabeth Nash especially movinge, Did, in or aboute Easter Terme last past before the date hereof, levy two severall ffynes with proclamacions accordinge to the forme of the statute in that case made and provided, by which said ffines they did recognize and acknowledge by names and termes meet and convenient all that messuage or tenement with appurtenaunces scituate and beinge in Blackfryers, London, neere the Wardrope, then or late in the tenure or occupacion of John Dicks cordweyner; and all that capitall messuage or tenement with thappurtenaunces scituate and beinge in Stratford upon Avon in the said county of Warwicke, commonly called or knowne by the name of the New Place; and all that messuage or tenement with thappurtenaunces scituate and beinge in Stratford upon Avon aforesaid, in a certen streete there called Henley Streete, commonly called or knowne by the name of the Maidenhead, and now or late in the tenure of John Rutter or his assignes; and all that other messuage or tenement scituate and beinge in Henley Streete aforesaid, now or late in the tenure of Thomas Hart, and adjoyninge unto the said messuage or tenement called the Maidenhead, and all and singuler houses, edifices, buildings, chambers, cellers, sollers, lights, easements, barnes, stables, backsides, orchardes, gardens, profits, and commodities whatsoever to the said severall messuages or tenements or any of them belonginge or in any wise apperteyninge, or accepted, reputed, esteemed or taken as parte, parcell, or member of the same, or any of them; and all those fowre yards land and a halfe of arrable, meadowe, and pasture, with thappurtenaunces, lyinge and beinge in

the townes, hamblets, villages, feilds, and grounds of Stratford upon Avon aforesaid, Old Stratford, Bishopton, and Welcombe in the county of Warr., and all other the messuages, lands, tenements, and hereditaments whatsoever situate, lyinge, and beinge in the townes, hamblets, villages, feilds, and grounds of Stratford upon Avon, Old Stratford, Bishopton, or Welcombe, or any of them, in the said countie of Warwicke, which heretofore were the inheritance of William Shakespeare gent. deceased, late father of the said Susan, to bee the right of the said Richard Lane, as those which the said Richard Lane and William Smith had of the gift of the said Susan and Elizabeth, and the same did remise and quite clayme for them and their heires unto the said Richard Lane and William Smith, and to the heires of the said Richard Lane for ever: And whereas the said Susan Hall and Elizabeth Nash did further, by the same severall ffynes, grant for them and their heires to warrant the said messuages or tenements, lands, and all and singuler other the premisses in the said ffines comprised, to the said Richard Lane and William Smith, and to the heires of the said Richard Lane for ever, It is now covenanted, granted, concluded, declared, and fully agreed by and betweene all and every the said parties to theis presents, and the true meaning purpose and intent of all and every of the said parties and of theis presents now is, and at the tyme of the levyinge of the said severall ffines as aforesaid was, that both the said severall ffines soe levied in manner and forme as aforesaid, or in any other manner and forme, should be and shalbe deemed, accepted, reputed, adjudged and taken to bee, and the cognisee or cognisees in the said ffines named and their heires should and shall immediately, from and after the levyinge and ingrossinge of the said ffines, stand and bee seised of and in the said messuages, lands, tenements and hereditaments in the said ffines comprised or meant or intended to bee comprised, to the only use and behoofe of the said Richard Lane and William Smith, their heires and assignes for ever, and to none other use, intent, or purpose whatsoever, to the end, intent, and purpose, that the said Richard Lane and William Smith might and may be perfect tenants of the ffrechold and inheritance of all and singuler the said messuages, lands, tenements, and premisses, against whome one or more common recoverye or recoveries might or may be had and suffered, of all and singuler the said premisses according to the usuall forme of common recoveryes in such case used and accustomed; And for that purpose it is further covenanted, granted, concluded and fully agreed, by and betweene the said parties to theis presents, that the said William Hathway and Thomas Hathway, or one of them, shall and will, before the end of the terme of St. Michael next ensuing the date of theis presents, pursue and prosecute one or more writt or writts of *entre sur disseisin in le post* against the said Richard Lane and William Smith, to which writt or writts of *entre sur disseisin* the said Richard Lane and William Smith shall appeare and vouch to warrantie the said Susan Hall and Elizabeth Nash, who shall enter into the said

Susanna Hall and Elizabeth Nash are in a rather excellent state of preservation. See Wellstood's *Catalogue of the Books . . . in Shakespeare's Birthplace*, p. 57, for facsimiles. A transcript is printed in Halliwell-Phillipps' *Life of William Shakespeare*, pp. 314-16. The transcript, despite its length, an important legal document in the Shakespeare inheritance, is here given in full as Document 115. Modern punctuation has been inserted for clarity.

18. On February 12, 1648, Edward Nash, with a view to sustaining his interest in the Shakespeare inheritance as devised to him by the will of his uncle Thomas Nash of August 26, 1642, filed a bill in the Court of Chancery against Elizabeth Nash and other legatees to require them to produce the uncle's will and to execute the provisions thereof. A mere digest of the Court of Chancery record of what further happened is here given, for the documents are too voluminous to quote in full.

Elizabeth's answer was taken at New Place in April 1648. In it she held that the contents of the bill were substantially incorrect and that she actually possessed the earlier deeds, writings, etc., relating to title of the property; she denied that the testator (her husband, Thomas Nash) had any legal right to devise the property to the complainant; she declared that the property was the inheritance entailed to her through her mother, Susanna Hall, from her maternal grandfather, William Shakespeare, who, long before her marriage to Nash, had been seised of it in fee simple; she stated that Susanna Hall, her mother, was yet living and enjoying the property; she affirmed that she and her mother had effected a fine and recovery (June 2, 1647) of the inheritance for entail and that her only disputes about the Nash bequest were in reference to (a) New Place, (b) the Combe arable land, and (c) the Blackfriars property in London.

In her answer of April 1648, Elizabeth Nash asserted that she "hath in her hands or custodie many deeds evidences writings charters escripts and muniments which concerne the lands and premises which the defendant claymeth

as her inheritance and other the lands which are the defendant's joynture and are devised to her by the said Thomas Nash. . . ." Scholars are inclined to wonder which ones of the foregoing documents actually were in her "hands or custodie"; certainly some of them once had been in Shakespeare's own possession. Considering the ravages of time, a surprisingly large number of those applying to New Place remain today.

On June 10, 1648, the Court awarded the process of *duces tecum* against Elizabeth Hall; that is, she was ordered "to bringe into this Court the will, evidences and writinges confessed by their answere to be in their custody, or att the retourne thereof to shewe unto this Courte good cause to the contrary." The Court directed "that the will be brought into this Court to the end the plaintiff may examine witnesses therupon and then [the will] to be delivered back to the defendant, and that the defendant shall allsoe bring the said evidences and writinges into Court . . . there to remaine for the equall benefitt of both parties and shall within ten daies after notice deliver unto the plaintiff a true schedule thereof."

In November 1648 the will was produced; Michael Johnson, one of the witnesses to it, was examined as to its authenticity. Elizabeth, however, defied the Court order in respect to producing the title-deeds which she asserted she possessed. An affidavit, dated November 1649, filed in the Six Clerks' office, shows that the order of June 10, 1648, had been served upon her; and a note in the records of the same office, for November 20, shows that she had paid no heed to the Court's writ.

Edward Nash filed no replication to Elizabeth Hall's answer to his bill of complaint; at least, the Six Clerks' office entries show no replication and no decree of the Court. However, a Court order for the publication of the evidence in the suit granted in November 1649 is evidence that after that date pleadings were closed. Thus New Place, the Combe arable land, and the Blackfriars house in London were once more legally the entailed inherited possession

warrantie, and shall vouch over the common vouchee, to the end and intent that one or more perfect recoverie or recoveries may be had and executed of the said messuages, lands, tenements and all and singuler other the premisses in the said severall ffine or ffines comprised, according to the usuall manner and forme of commen recoveries in such cases used and accustomed; And it is further covenanted, granted, declared, concluded and agreed, by and betweene the said parties to theis presents, that the said recoverie or recoveries soe to be had, suffered and executed of the said messuages, and of all and singuler other the premisses in the said recoverie or recoveries to be comprised, and the full force and execucion of the same shalbe and enure, and shalbe adjudged, accepted, reputed and taken to be and enure; and the said recoveror or recoverors, and his and their heires, immediately from and after the said recoverie or recoveries soe had, suffered, and executed, shall stand and be seised of and in all and singuler the said messuages, lands, and premisses, in the said recoverie or recoveries to be comprised, and of every parte and parcell of them and every of them, to the severall uses, intents, and purposes hereafter mencioned, That is to say, to the onlie use and behoofe of the said Susan Hall for and duringe the terme of her naturall life, and after her decease, to the use and behoofe of the said Elizabeth Nash, and the heires of her body lawfully begotten or to be begotten, and, for default of such issue, to the use and behoofe of the right heires of the said Elizabeth Nash for ever: In witnesse whereof to the one parte of theis indentures remayning with the said Susan Hall and Elizabeth Nash, they the said Richard Lane and William Smith, William Hathway and Thomas Hathway, have sett their hands and seales; and to another parte thereof, remayning with the said Richard Lane and William Smith, they the said Susan Hall, Elizabeth Nash, William Hathway, and Thomas Hathway have sett their hands and seales; and to the other parte thereof remayning with the said William Hathway and Thomas Hathway, they, the said Susan Hall, Elizabeth Nash, Richard Lane, and William Smith, have sett their hands and seales, the day and yeare first above written.

[DOCUMENT 116]

[INDENTURE PROVIDING FOR DISPOSAL OF NEW PLACE AND COMBE LAND AS PART OF LADY BARNARD'S ESTATE, 1652]

This indenture made the twentyeth day of October, in the yeare of our Lord, according to the accompt in England, one thowsand, six hundred, fifty two; Betweene John Barnard, of Stratford-upon-Avon, in the county of Warwick, esquier, and Elizabeth his wife, on thone parte; Henry Smyth, of Stratford-upon-Avon aforesaid, gent. and William ffetherston, of the same towne and county, yeoman, on thother parte, Witnesseth, that it is covennted, concluded, and agreed

by and betweene all the said partyes, and it is their true intent and meaning, that the said John Barnard and Elizabeth his wife, shall and will acknowledge and levy, in due forme of lawe, one fine or fines, *sur conuzance de droit come ceo, que ils ount de lour* done, before the Justices of the Court of Comon Pleees at Westminster at or before thend of Hillary terme next ensueing, unto the said Henry Smyth and William ffetherstone, and the heires of one of them, with proclamacions according to the statute, of all that capitall messuage or tenement with thappurtenaunces scituate and being in Stratford-upon-Avon aforesaid, in the said county of Warwick, comonly called or knowne by the name of the New Place, now in the tenure of the said John Barnard, and all that fower yard land and a halfe of arrable, meadow, and pasture, with the appurtenaunces, lying and being in the townes, hamletts, villages, feilds, and grounds of Stratford-upon-Avon, Old Stratford, Bishopton, and Welcombe, in the said county of Warwick, heretofore the inheritance of William Shakespeare, gent. grandfather of the said Elizabeth, wife of the said John Barnard, by the name of one messuage, one garden, one orchard, one hundred and seaven acres of land, twenty acres of pasture, and comon of pasture for all manner of cattle, with thappurtenances, in Stratford-upon-Avon, Old Stratford, Bishopton and Welcombe, or by such other name or names, quantitie and number of acres, or other certaintie, as shal be devised. Which fine, soe to be had and levyed, and the full force and execucion thereof, and the cognisees in the said fine, and their heires, shal be had, taken, and construed to be, and enure, to the only uses, intents, and purposes herein expressed and declared; that is to say, to the use of the said John Barnard and Elizabeth his wife, for and during their naturall lives, and the life of the longest liver of them, and to the heires of the body of the said Elizabeth, lawfully begotten, or to be begotten, and for defaulte of such issue, to the use of such person or persons, and for such estate and estates, as the said Elizabeth, by any writeing, either purporteing her last will, or otherwise, sealed and subscribed in the presence of two or more credible witnesses, shall lymitt and appoint: and from and after such nominacion or appointment, or in defaulte of such nominacion or appointment, to the use and behoofe of the right heires of the survivor of them, the said John and Elizabeth, for ever. In witnes whereof the partyes above named have, to their present indentures, interchaungeably put their hands and scales the day and yere above written.

Henry Smith
Sealed and delivered in the presence of

Willm. ffetherston.
Phillip Scarlett.
Edw. Owen.

of the Shakespeare descendants; that is, of the only one remaining, Elizabeth Hall-Nash-Barnard. A compromise may be logically inferred, and is supported

by a provision in the defendant's will (January 29, 1670), given in full in chapter cxv, Volume II.

A fine, levied on New Place and

other properties in 1650, did not affect the entail; its only intent seems to have been to appoint John Barnard (now the husband of the widow Nash, whom he had married in 1649) and Henry Smith trustees of the settlement of 1647 in place of Richard Lane, whose colleague, William Smith of Balsall, appears to have died. (See Halliwell-Phillipps' *Outlines*, II, 116-17).

19. On October 20, 1652, in an indenture, John Barnard and Elizabeth his wife covenanted and agreed to settle the New Place property and the Combe arable lands "to the use of the said John Barnard and Elizabeth his wife, for and during their naturall lives, and the life of the longest liver of them, and to the heires of the body of the said Elizabeth, lawfully begotten, or to be begotten, and for defaulte of such issue, to the use of such person or persons, and for such estate and estates as the said Elizabeth, by any writeing, either purporteing her last will, or otherwise, sealed and subscribed in the presence of two or more credible witnesses, shall lymitt and appoint: and from and after such nominacion or appointment, or in defaulte of such nominacion or appointment, to the use and behoofe of the right heires of the survivor of them, the said John and Elizabeth, for ever." This indenture had the legal effect of Elizabeth Barnard's providing that these two properties (New Place and the Combe arable lands), in default of her having no issue and of her making no written disposal of the property, should pass to the survivor of the said John and Elizabeth for ever. The "twenty acres of pasture" are obviously not any addition¹¹ to the 4½-yard lands (about 107 acres) of the Combe arable lands but are only descriptive of the property (see section 20, below). Elizabeth Barnard had been childless by her first husband, Thomas Nash (†1647); and now, after being three years married to John Barnard, a wealthy widower and father of a number of children, she was childless by her second husband. This joint agreement in the indenture kept the inheritance of the property

¹¹ See chapter lxxxii, Volume II.

within the Elizabeth Hall-Barnard family. New Place was in the tenure of John Barnard; but it is highly probable that he was not occupying it, for the Barnards apparently lived at Abington at this time.

The transcript, Document 116 here given, of the October 20, 1652, indenture appears in Halliwell-Phillipps' *The Life of William Shakespeare*, pp. 316-17. For clarity, modern punctuation has been inserted.

20. On April 18, 1653, Elizabeth Barnard executed a writ, a deed poll, whereby New Place and the Combe arable lands were placed in the custody of the trustees (Henry Scott of Stratford-on-Avon and Job Dighton of Middle Temple, London; Esquire), after the death of John Barnard and herself, provided that she had no issue, which trustees were directed to sell the properties and apply the proceeds "in such manner, and by such some or sommes, as I, the said Elizabeth, shall by any wrighting, or noate under my hand, truly testified, declare and nominate." This document, it will be noted, had direct connection with the indenture (see section 19, above, October 20, 1652). This is the "writing" Elizabeth had in mind in that legal instrument; it is in the Birthplace Museum. It is witnessed by Richard Lane, Mary Lane, Phillip Scarlet, and by Elizabeth Writon, who makes her mark. It is signed "Eliza Barnard," with the seal of the Barnard arms impaling the Shakespeare arms. (See Wellstood's *Catalogue of the Books, Manuscripts, . . . Exhibited in Shakespeare's Birthplace*, 1925, No. 70, for a facsimile of the signature.) Job Dighton, one of the trustees, had lately acquired Rainsford family estate at Clifford Chambers near Stratford-upon-Avon. Dighton, however, in 1659, predeceased Lady Barnard by ten years. The 1653 deed poll is here given as Document 117.

How long, after the death of Susanna Hall (1649), the Barnards actually occupied New Place is not clear: the 1663 list of fire hearths¹² indicated that Francis Oldfield, gentleman, was the occu-

¹² The first taxing of fire hearths in England was in 1662.

[DOCUMENT 117]

[LADY BARNARD'S DEED POLL DESIGNATING TRUSTEES FOR NEW PLACE AND COMBE LAND IN THE EVENT OF HER DEATH, 1653]

To all to whom theise presents shall come. Whearas I, Elizabeth Barnard, wife of John Barnard, esquier, have power to limitt, ap-
 poynte, & dispose of all that messuage with the appurtenances in
 Stratford-upon-Avon, within the county of Warwicke, comonly called
 the New Place, and of all that foure yard land and a halfe, arrable,
 meadow, and pasture, in Stratford, Welcombe, and Bishopton, which
 weare sometimes the inheritance of William Shackspeare, gent. my
 grandfather, by any wrighting, either purporting my last will, or other-
 wise, sealed and subscribed in the presence of credible witnesses, to any
 person or persons, and for any estate or estates, to take effecte in pos-
 session, after the death of the said John Barnard, and mee, the said
 Elizabeth, in case I die without heires of my bodie, as by one inden-
 ture, mad at or aboute the 20th day of October 1652, and a ffine
 therupon acknowledged, may more fully appeare. Now know yee,
 that I, the said Elizabeth, accordinge to the said power, doe by this
 wrighting, sealed, and subscribed in the prsence of credible witnesses,
 limitt, give, and dispose the said messuage, fower yard land and a
 halfe, after the decess of the said John Barnard, and mee, the said
 Elizabeth, without heires of my bodie, ffor and unto Henry Smith,
 of Stratford aforesaid, gent. and Job Dighton, of the Middle Temple,
 London, esquier, and their heires, To have and to hold the said mes-
 suage, and ffoure yard land and a halfe, unto the said Henry Smith and
 Job Dighton, their heires and assignes for ever. Neverthelesse upon trust
 and confidence, that the said Henry Smith and Job Dighton, and the
 survivor of them, and the heires of the survivor of them, shall bar-
 gayne and sell the said messuage, fflower yard land and a halfe, to any
 person or persons, for the best value they can gett: and the moneys
 therby to be raysed shall imploy, dispose, and distribute of, to such
 person or persons, and in such manner, and by such some or somes,
 as I, the said Elizabeth, shall by any wrighting, or noate under my
 hand, truly testified, declare and nominate. In witnesse whereof, I,
 the said Elizabeth, have the caytteneth day of Aprill, 1653, subscribed
 my name, and sett to my seale:

Eliza Barnard.

Seled and subscribed in the prsence of

Rich. Lane.

Mary Lane.

Phillip Scarlett.

Elizobeth E. Writon,
 hir marke.

pant; and he continued to be such until
 at least 1671 or 1672, when he was suc-
 ceeded by a Mrs. Frances Greene. In

1670, Sir John Barnard is presented for
 a "nuisance" in Chapel Lane—probably
 not as the occupier but only as the pos-

[DOCUMENT 118]

[INDENTURE CONVEYING NEW PLACE TO SIR
EDWARD WALKER, 1675]

This Indenture, made the eighteenth day of May, Anno Dni. one thousand, six hundred, seaventy five; and in the seaven and twentyeth yeare of the raigne of our Sovereigne Lord, Charles the Second, by the Grace of God, of England, Scotland, ffrance, and Ireland, King, Defendor of the Faith, &c.; betweene Henry Smith, of Old Stratford, in the county of Warr. gent. and Edward Bagley, Citizen and Pewterer, of London, of the one part, and Sir Edward Walker, of Whitehall, in the county of Middlesex, knt. Garter Principall King at Armes, of the other pt. Whereas John Barnard, of Stratford-upon-Avon, in the county of Warr. esqr., and Elizabeth his wife, grandchilde and heire of William Shakespeare, gent., by their indenture, duely executed, bearinge date the twentyeth day of October, in the yeare of our Lord God one thousand, six hundred, fifty two; and made betweene them, the said John Barnard and Elizabeth, on the one part, and Henry Smith, party to theis presents, and William ffetherston, of Stratford-upon-Avon aforesaid, yeoman, on the other part, and fine therupon levyed, did setle and assure all that capitall messuage or tenement with appurtenances, scituate in Stratford-upon-Avon aforesaid, comonly called the New Place, and all that four yard land and a halfe of arrable, meadow, and pasture, with appurtenances, lying and being in the townes, hamlets, and feilds of Stratford-upon-Avon, Old Stratford, Bishopton, and Welcombe, in the said county of Warr. formerly the inheritance of the said William Shakespeare, to the use of the said John Barnard, and the said Elizabeth his wife, for and duringe their naturall lives, and the life of the longer liver of them, and to the heires of the body of the said Elizabeth, lawfully begotten or to be begotten, and for default of such issue, to the use of such person or persons, and for such estate and estates, as the said Elizabeth by any writeing, purporting her last will, or otherwise, sealed and subscribed in the presence of two or more credible witnesses, should limit and appoynt. And wheras afterwards, shee the said Elizabeth Barnard, by her writeing under her hand and scale, bearinge date the eighteenth day of Aprill, in the yeare of our Lord God one thousand, six hundred, fifty three, and duely executed in the presence of Richard Lane, Mary Lane, Phillip Scarlet, and Elizabeth Writon, credible witnesses, in pursuance of the said power to her reserved, did therby give and dispose the said messuage, foure yard land and a halfe, after the decease of the said John Barnard, and her, the said Elizabeth, without heires of her body, unto Henry Smith, party to theis presents, and Job Dighton, of the Midle Temple, London, esqr., and their heires, to hold to them, their heires and assignes for ever; upon trust that they, and the survivor of them, should bargain and sell the said messuage, foure yard land and a halfe, to any person or persons, for the best value they could

seissor. Lady Barnard's will (1670) was written at Abington in Northamptonshire. The names and residences of the trustees appointed by her in this deed poll, April 18, 1563, suggest that she was then at New Place; certainly at her death the Barnards were at Abington, and there she was buried—Lady Barnard, Elizabeth Hall-Nash-Barnard, the last blood descendant of William Shakespeare.

21. On January 29, 1670, Lady Barnard's will²²—specifically mentioning her "writeing" of April 18, 1653, her "power" to dispose of New Place and the Combe arable land, and her having appointed trustees of the estate effective after the death of John Barnard and herself—directs her surviving trustee, Henry Smith, to sell the estate "and that my loving cousin, Edward Nash, esq., shall have the first offer or refusall thereof according to my promise formerly made to him." Apparently Edward Nash did not buy New Place, because the year after Sir John's death in 1674 the property was sold to Edward Walker. Lady Barnard was varied and generous in her bequests; friends, kinsmen, and others, were remembered with charming grace and affection. By this disposal of the inherited entailed estate, no blood descendants remaining, New Place and the Combe arable land forever passed to aliens. A probate copy (not the actual original will), rather illegible and defaced by dampness, is in the Birthplace Museum; at present it is folded into a 6 by 4 inch package. It is signed "Elizabeth Barnard" and is witnessed by "John Howes, rector de Abington" and "Francis Wickes" (see Document 275, chapter cxv, Volume II).

22. On May 18, 1675, Henry Smith, Lady Barnard's sole surviving trustee, in an indenture, conveyed New Place and the Combe arable land, for the sum of £1,060, to Sir Edward Walker, Knight, Garter Principall King-at-Armes, whose only daughter Barbara married Sir John Clopton. This excellently conceived and well-written document repeats much of the material of the legal instruments of

²² See chapter cxv, Volume II.

1652 and 1653 and Lady Barnard's will of 1670, and then proceeds to alienate definitely the Shakespeare entailed inheritance from the Barnards and to require the surrender of "all deeds, charters, evidences, writings, records, escripts, and minuments" having to do with the property. The document is much concerned with "assurance in the law" unto the said Henry Walker; the "guarantee" must come from the trustees and was not a matter for Walker to establish.

Since this indenture definitely ends any further entail in the entail inheritance descending from Shakespeare's will, and since it is a model of legal care, accuracy, and precaution, it is here, despite its length, given in full (from Halliwell-Phillipps' transcript in *The Life of William Shakespeare*, pp. 321-25) as Document 118.

The subsequent history¹⁴ of New Place may be rapidly summarized; the Henley Street Birthplace property, the Combe arable lands, and the Blackfriars house are here of less concern. A goodly number of the documents are now in the Folger Shakespeare Library in one large Folio called "New Place Deeds."

On December 1, 1675, Sir Edward Walker leased New Place to Joseph Hunt,¹⁵ who had succeeded Mrs. Francis Greene as occupant. The rental was £12 per annum. This seems a large sum; but by 1675 the pound was worth less than in Shakespeare's own day. The property is identified as "all that messuage with thappurtenances comonly called or knowne by name of the Newe Place scituate lyinge and beinge in Stratford-upon-Avon aforesaid in the county of Warwicke in a certaine streete there called the Chappell Streete." Sir Edward's will of 1677 devised New Place to his own daughter Barbara, wife of Sir John Clopton, during her natural life, after which it was to pass to her oldest son, Edward Clopton. There was a rental reservation for ten years in favor of Sir John's two female grandchildren,

get; and the moneys therby to bee raysted should imploy, dispose, and distribute to such person or persons, and in such maner, and by such sume or sumes, as the said Elizabeth should, by any writinge or note under her hand truely testified, declare and nominate. And whereas, shee, the said Elizabeth Barnard, afterwards made her last will in writeing, bearinge date the nine and twentyeth day of January, in the yeare of our Lord God, one thowsand, six hundred, sixty nine, and therby, (among other things therin conteyned,) accordinge to her power formerly reserved to her, did will, signify, and declare her mind and meaninge to bee, that the said Henry Smith, party to theis presents, or his heires, shuld, with all convenient speed, after the decease of the said John Barnard, then Sir John Barnard, her husband, make sale of the inheritance of all that the aforesaid messuage, called the New Place, and of all that the aforesaid foure yard land and a halfe, in Stratford, Welcombe, and Bishopton, in the county of Warr. with appurtenances; and soone after, shee, the said Elizabeth Barnard, departed this life. And wheras the said Sir John Barnard, knt. is also since dead, and the said Job Dighton, severall yeares since departed this life, and hee, the said Henry Smith, party to theis presents, him hath survived. Now this indenture witnesseth that the said Henry Smith, in pursuance of the said power to him given, and by and with the consent and good likeing of the said Edward Bagley, signified by his being made party to theis presents, and sealinge and executing therof, and for and in consideration of the sume of one thowsand and sixty pounds of lawfull money of England, to him, the said Henry Smith, by the said Sir Edward Walker, knt. Garter Principall King at Armes, truely in hand paid, the receipt hereof they, the said Henry Smith and Edward Bagley, do hereby acknowledge, and thereof, and of every parte thereof, acquit and discharge the said Sir Edward Walker, Garter Principall King at Armes, his heires, exrs. admrs. and assignes, and evry of them, by theis presents, and for divers other good causes and valuable considerations him, the said Henry Smith, hereunto espeacially moveinge, hath graunted, bargained, sold, enfeoffed and confirmed, and, by theis presents, doth graunt, bargaine, sell, enfeoffe, and confirme unto the said Sir Edward Walker, knt. Garter Principall King at Armes, his heires and assignes, all that the aforesaid capitall messuage or tenement, with appurtenances, scituate and being in Stratford-upon-Avon aforesaid, comonly called or knowne by the name of the New Place, scituate in part in a street there called Chappell-street, and in part in a lane there called Chappell-lane, and all gardens, orchards, backsides, courts, yards, outlets, backsides, barnes, stables, outhouses, buildings, walls, mounds, and fences to the same belonging, or in any wise of right apperteyning or therwithall formerly comonly used or enjoyed, or reputed as parcell or member thereof, or belonging therunto: and all that foure yard land and a halfe of arrable, meadow, and pasture, with appurtenances, scituate, lyinge, and beinge in the townes, hamlets, villages, feilds, and precincts of Stratford-upon-Avon aforesaid, Old Stratford, Bishopton,

¹⁴ Halliwell-Phillipps, *Outlines*, II, 119-33, though a bit incomplete and inaccurate in the light of more recent research, has a good review of its history.

¹⁵ Folger MS, the counterpart signed by Joseph Hunt.

and Welcombe, in the said county of Warr. or in some or one of them, and all lands, tenements, meadowes, feedings, pastures, commons, common of pasture, wayes, passages, wast grounds, hades, meeres, furrowes, woods, underwoods, trees, profits, comodityes, emoluments, and hereditaments whatsoever, with their and evry of their appurtenances to the said premisses or any part of them belonging, or in anywise of right apperteyning, and the revercion and revercions, remaynder and remaynders, rents, and services of the said premisses, and all thestate, right, title, interest, use, trust, clayme, and demaund whatsoever, of him, the said Henry Smith, of, in, to, or out of the same, and all deeds, charters, evidences, writings, records, escripts, and minuments, only touchinge the premisses, togeather with true coppys of all other writeings and evidences, that with the said premisses concerne other lands and tenements, To have and to hould the said capitall messuage, barnes, stables, outhowes, foure yard land and a halfe, and all other the above graunted or mencioned, or intended to bee graunted premisses, with their and every of their appurtenances, unto the said Sir Edward Walker, knt. Garter principall King at Armes, his heires and assignes, for ever, to the only use and behoofe of him, the said Sir Edward Walker, knt. Garter Principall King at Armes, his heires and assignes, for ever. And the said Henry Smith, for him and his heires, the said capitall messuage, foure yard land and a halfe, and other the above graunted or mencioned, or intended to bee graunted premisses, with appurtenances, unto the said Sir Edward Walker, knt. Garter Principall King at Armes, his heires and assignes, to the uses aforesaid, against him, the said Henry Smith, his heires and assignes, shall and will warrant, and for ever defend, by theis presents. And the said Henry Smith, for himselfe, his heires, exrs. and admrs. and for every of them, doth covenant and graunt to and with the said Sir Edward Walker, knt. Garter Principall King at Armes, his heires and assignes, and to and with every of them, by theis presents, in manner followinge, that is to say, that hee, the said Henry Smith, his heires or assignes, hath not made, donne, or suffered, nor shall nor will hereafter make, doe, or suffer any act, matter, or thinge, whereby the said messuage, lands, and premisses, or any part thereof, or thestate hereby graunted, are, may, or shall bee any wise incumbred, chardged, impeached, or avoyded, in any sort whatsoever, either in law or equity: and that the said premisses shall and may peaceably and quietly bee held and enjoyed, accordinge to thestate thereof hereby graunted, without the lawfull let, trouble, disturbance, or eviction of him, the said Henry Smith, his heires or assignes, or any other person or persons lawfully clayming any thing in the premisses, by, from, or under him, or them, or any of them: And further, that hee, the said Henry Smith, his heires and assignes, shall and will, at all times hereafter, within the space of seaven yeares, at the costs and chardges in the law of the said Sir Edward Walker, Garter Principall King at Armes, his heires or assignes, make, doe, and execute, or cause to be made, donne, and

Agnes and Barbara Clopton. The devise reads: "I give unto my said deare daughter after the expiration of tenn yeares the house called the New Place with the gardens barnes &c lying in the borough of Stratford during her naturall life and then to come to my eldest grand-sonn Eduard Clopton and his heires."

Edward occupied the premises about 1694, previous to which the tenants had been Joseph Hunt and one Henry Browne, successively. In 1699, before May of that year, Edward Clopton moved into the Nash house adjoining New Place but continued to hold the Great Garden which belonged to New Place. In November 1698 Edward Clopton gave the remainder of this latter estate to his father, Sir John, who in January 1700 conveyed to his own use for life "all that messuage, . . . in Chapel Street and Chapel Lane, . . . commonly called . . . New Place then in the tenure of John Wheeler gent." In 1702, Sir John Clopton demolished and removed the original New Place house erected in the latter part of the fifteenth century by Sir Hugh Clopton and repaired, about a century before, by William Shakespeare.

Ernest Law, in his *Shakespeare's Garden, Stratford-upon-Avon* (1922, pp. 10-11), asserts that it was the "cantankerous" Francis Gastrell who, in 1759, pulled down this original New Place; and R. B. Wheeler (*History and Antiquities of Stratford-upon-Avon*, 1806, p. 136) avers: "By this worthy gentleman [Sir John Clopton], New Place was not (as hath been erroneously stated) pulled down, but thoroughly repaired and beautified, and a modern front built to it [perhaps Wheeler's own imagined sketch of it, p. 135]." He declares that the Reverend Francis Gastrell, in a fit of rage at having to pay monthly assessments on New Place to maintain the poor of Stratford, razed the premises in 1759, in consequence of which, followed by the curses of the citizens, he departed from the town. However, Halliwell-Phillipps (*Outlines*, II, 121) asserts that New Place was razed by Sir John Clopton.

In Sir John Clopton's articles of

agreement (Folger MSS, part and also counterpart), dated September 26, 1702, with his son Hugh Clopton, and with Thomas Millward, in anticipation of the son's marriage to Elizabeth Millward, the property is identified as "one new house standing and being in Stratford-upon-Avon which house is intended for them the said Hugh Clopton and Elizabeth his intended wife to live in but the same haveing been lately built is not finished or fitted up and made convenient for them to inhabit in." There is no word "repaired" in the documents; on the contrary, the description is "new" and "lately built." This point should be set at rest by the excavations made in 1862, which revealed that only a few foundation stones remained of the original house and that the line of the second house (Sir John Clopton's) next to Chapel Lane had been changed a bit to widen the street at the corner point. (See plat in Halliwell-Phillipps' *Outlines*, II, 120.)

On May 1, 1701, Edward Clopton conveyed (Folger MS) to Hugh Clopton "all the said seate or pew scituate in the Parish Church of Stratford aforesaid belonging to the messuage called the New Place." On September 25, 1702, the day before Sir John Clopton's articles of agreement with his son Hugh Clopton and the father-in-law Thomas Millward, Sir John executed a lease for possession (Folger MS) on the marriage of his son Hugh with Miss Millward. On March 21, 1706, Edward Clopton executed a lease (Folger MS) for a year to Aston Ingram, who had married Barbara, sister of Hugh, of "all that piece or parcell of ground lyeing and beeing within the borrough of Stratford-upon-Avon called or known by the name of the Great Garden and which did formerly belong to New Place and is now adjoyning to the now dwelling-house of him the said Edward Clopton and conteynes by estimation about three quarters of an acre bee the same more or less." On the following March 22, 1706, Edward Clopton executed a release (Folger MS) to Aston Ingram of "the Great Garden which formerly did belong to New Place." It was not until more than

executed all and every further and other lawfull and reasonable act, thinge, devise, and assurance in the law, of the premisses, unto the said Sir Edward Walker, knt. Garter Principall King at Armes, his heires or assignes, so as such further assurance conteyne no further or other warranty then as aforesaid, and so as hee or they bee not hereby compelled to travayle from his or their then dwellinge, for the doeinge or executinge thereof: all which said assurance or assurances, and more expecially one fine *sur conusans de droit come ceo, &c. q'il ad de lour done*, to bee levved of the premisses by the said Henry Smith, and Edward Bagley, before the end of Michaelmas terme next, unto the said Sir Edward Walker, his heires or assignes, shall, and is hereby declared to bee and enure to the only use of the said Sir Edward Walker, Garter Principall King at Armes, his heires and assignes, for ever; and to or for none other use, intent, or purpose whatsoever. And the said Edward Bagley, for himselfe, his heires, exers. admrs. and assignes, and for every of them, doth, by these presents, covenant and graunt to and with the said Sir Edward Walker, Garter Principall King at Armes, his heires and assignes, in manner followinge; that is to say, that hee, the said Henry Smith, now hath, and at the execucion of theis presents, shall have full power, good right, and lawfull authority to graunt and assure the said messuage, lands and premisses in manner and forme as aforesaid; and that the said messuage, lands, and premisses now are, and soe shall for ever hereafter continue, and be free and cleere, and freely and cleerly acquitted, exonerated, and discharged, or otherwise well and sufficiently saved harmlesse, and kept indemnified unto the said Sir Edward Walker, his heires and assignes, of and from all and all manner of former and other guifts, graunts, bargaines, sales, leases, estates, rents, arrerages of all manner of rents, statutes, recognizances, judgements, execucions, willes, entayles, legacies, limitacion of use or uses, and of and from all other titles, troubles, chardges, demaunds, and incumbrances whatsoever, had, made, committed, donne, or suffred by the said Henry Smith, Edward Bagley, the said Sir John Barnard, and Dame Elizabeth Barnard, Thomas Nash her former husband, Susan Hall her mother, or any or either of them, their or either of their heires, exers. admrs. or assignes, or any other person or persons whatsoever, anything in the premisses lawfully haveinge or clayminge, or which shall or may hereafter lawfully clayme or have, by, from, or under them, or any or either of them. And that hee, the said Edward Bagley, Margaret his wife, Henry Smith, and their heires, and the heires or assignes of the said Sir John Barnard, dame Elizabeth his wife, Thomas Nash, and Susan Hall, shall and will, at all times hereafter, within the space of seaven yeares next, at and upon the resonable request, and at the costs and chardges in the law of the said Sir Edward Walker, Garter Principall King at Armes, his heires or assignes, make, doe, acknowledge, execute, and suffer, or cause to bee made, donne, acknowledged, executed, and suffred, all and every such further and reasonable act and acts, thinge,

device, and devises, assurance and assurances in the law whatsoever, for the further, better, and more perfect assuringe, and sure makeinge, setting, and conveyinge, of the said messuage, foure yard land and a halfe, and all other the above graunted, or intended to bee graunted premisses, and of every part thereof, with the appurtenaunces, unto the said Sir Edward Walker, Garter Principall King at Armes, his heires and assignes, for ever, bee it or they, by fine or fines, recovery or recoveryes, with single or more voucher or vouchers over, feoffment, deed, or deeds, enrolled or not enrolled, the enrolment of theis presents, or by any other wayes or meanes whatsoever, as by the said Sir Edward Walker, Garter Principall King at Armes, his heires and assignes, or by any of them, shall be reasonably devised, or advised, and required, soe as such party or parties to make such further assurance, bee not hereby compelled or compellable to travayle above the space of tenne miles from his or their then abode, for the docinge, or executeinge thereof, and soe as the same conteyne noe further or other covenant, or warranty of the premisses, then only against him or them, and their heires: all which said assurance, or assurances of the premisses, is and shall bee, and are by theis presents declared and agreed, by all the parties hereunto, to bee and enure to the only use and behoofe of the said Sir Edward Walker, knt. Garter Principall King at Armes, and of his heires and assignes, for ever, and to or for none other use, intent, or purpose whatsoever. In wittnes whereof the said parties first above named to theis present indentures interchangeably have put to their hands and scales, the day and yeare first above written.

Henry Smith.

Edward Bagley.

Scaled and delivered by the within named Henry Smith, in the presence of

John Clopton.

Richard Smithe.

Tho. Rawlins.

James Badger.

Wm. Gibson.

Scaled and delivered by the within named Edward Bagley, in the presence of

Charles Lec.

Wm. Gibson.

Tho. Rawlins.

James Badger.

twenty years later, on March 21, 1729, that Hugh Clopton re-annexed the Great Garden to New Place by conveyance from Barbara, now widow of Ingram. In June 1732 Hugh Clopton settled New Place and the Great Garden to himself during his natural life. He died in December 1751. In 1756, his trustees conveyed the property to Rev. Francis Gastrell (Vicar of Frodsham,

Cheshire), who in 1759 demolished and removed the house built by Sir John Clopton in 1702.

Gastrell's will (dated 1768; proved at his death in 1772) devised New Place, which he had held in fee, to his wife. In 1775, Gastrell's widow, Jane, conveyed the property to William Hunt of Stratford-upon-Avon, gentleman. His trustee (his eldest son, Rev. John Hunt,

rector of Welford, Gloucestershire) in September 1790 conveyed the property to Charles Henry Hunt, Esq., who in May 1807 conveyed it to Messrs. Battersbee and Morris, bankers of Stratford, as tenants in common.

In 1819 all the estates mentioned above were set up for auction in a number of items—with no bidders to compete before 1827, when a Miss Smith bought New Place and some of the grounds immediately adjacent. The remainder, except two small cottages, was bought, at that time, by Edward Leyton of Stratford-upon-Avon. These he acquired in 1834 and 1838; but in April 1827 he had sold a small parcel of his ground which abutted on Chapel Lane. In 1844 all Leyton's holdings except this parcel were settled on his daughter, Mrs. Loggin. From Mrs. Loggin's trustee, Halliwell-Phillipps purchased it in 1862 with money raised by public subscription. Later this Shakespearean scholar reacquired, to the same end, the 1827 alienation. Then the entire New Place property with its "Great Garden" was transferred as a public trust to the Stratford Corporation. At present it is a part of the public trust of The Trustees and Guardians of Shakespeare's Birthplace. Of New Place, today, there remain only some few foundation stones carefully preserved. Of the "Great Garden" little remains; but since the World War an Elizabethan "Knot Garden" has been installed in which grows virtually every flower, vine, and plant mentioned in the great dramatist's plays.

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XLII

THE PUBLICATION OF *RICHARD II*, 1597

ANOTHER play of William Shakespeare's to be published early in his theatrical career was *Richard II*, a chronicle-history which had already brought the dramatist into prominence. Its main source was the *Chronicle of Holinshed*, in the second edition of 1597.

This 1597 first quarto is in signatures A-1⁴, K², making a total of 38 unpagged leaves. Copies are rare; only three are known: one in the British Museum (Huth); one at Trinity College, Cambridge (Capell); one at Huntington Library (Devonshire). The title page here given as Document 119 and the details are from the Huntington copy. There is no head title; but the running title reads: "*The Tragedie of King Richard the second.*" The author's name does not appear on the title page.

Alike in the British Museum, Trinity College, and Huntington Library copies are signatures E, F, G, H, and K; but in the other signatures (A, B, C, D, and I) of the three extant copies, variant readings indicate corrections while the volume was going through the press. The

best text of the three is that of the Devonshire copy in the Huntington collection. Details of variant readings in the three copies of the 1597 quarto are accurately listed on page iv of P. A. Dan-

quarto, although entries and exits suggest scene divisions.

It is not known how the copy for this play came into the hands of the printer, but the timeliness of its publication in

[DOCUMENT 119]

[TITLE PAGE OF QUARTO 1 OF *RICHARD II*, 1597]

THE / Tragedie of King Ri- / chard the se- / cond. / *As it hath beene*
publikely acted / by the right Honourable the / Lorde Chamberlaine
his Ser- / uants. / [Valentine Simmes printer's device]* / LON-
DON / Printed by Valentine Simmes for Androw Wifse, and / are
to be sold at his shop in Paules church yard at / the signe of the
Angel. / 1 5 9 7.

* See R. B. McKerrow's *Printers' and Publishers' Devices*, 1913, No. 142.

iel's "Introduction" to the Griggs facsimile (1890) of the Devonshire copy. The "Androw [Andrew] Wise," as the printer, is thus misspelled on each of the three title pages of the three extant copies. It is corrected, however, in subsequent quartos. There are neither act nor scene divisions throughout the

light of contemporary events should not be overlooked. In August 1596, when the expedition had returned after the victory of Cadiz, a bitter quarrel arose between Essex and Elizabeth over the distribution of booty. He again gained royal favor and was placed in command of a new expedition against

the Spanish. His forces were to have sailed in July 1597, but bad weather prevented until August. The expedition was a total failure, was almost intercepted by Spanish ships on its return to England. Recriminations of incompetency and failure to take advantage of opportuni-

The term "Richard II's men" had appeared in letters of government officials, and it is clear that they knew the meaning of the words. Allusions to the queen and the government, although frequently loyal, were nevertheless critical. As early as 1597 the public must have

the queen herself and the deposed monarch.

In the midst of these events, *Richard II* was entered in the Stationers' Register on August 29, 1597 and published without the deposition scene late in that year or early in 1598.

The Register of the Stationers' Company has entries relating to *Richard II*, given here as Documents 120 and 121.

While not all of the facts relative to the several quartos of *Richard II* have been ascertained, there are certain issues subsequent to the first that may be listed. The lists prepared by Pollard, Lee, Bartlett, Jaggard, and Chambers, and others, have been supplemented by firsthand examination of most of the extant copies.

[DOCUMENT 120]

[THE STATIONERS' REGISTER ENTRY RELATING
TO *RICHARD II*, 1597]*[1597] 29^o Augusti./.

Andrew Wise./.

Entred for his Copie by appoyntment from
master Warden man / *The Tragedye of Rich-
ard the Second.* vjd

* Edward Arber, *Transcript*, III, 89.

[DOCUMENT 121]

[THE STATIONERS' REGISTER ENTRY RELATING
TO *RICHARD II*, 1603]*

25 Junij [1603]

.

Mathew Lawe

Entred for his copies in full courte Holden this
Day. These ffyve copies folowinge

ij^s vjd

viz

iij enterludes or playes

The ffirst is of *Richard the. 3.*The second of *Richard the. 2.*The Third of *Henry the. 4. the firste
part.* all kinges.*Item* master Doctor Pla[y]fordes sermons*Item* a thing. of. *no man can be hurt but
by hym self.*

all whiche by consent of the Company
are sett ouer to him from Andrew
Wyse

* Arber, *Transcript*, III, 239.

ties were rife. In 1599 Essex was sent to Ireland. The details of his return, his open opposition to the government, his attempted rebellion, his arrest, trial, and execution for treason in 1601 are all well known.¹

recognized some analogy between the reign of Elizabeth and that of Richard II and have drawn some parallel between

¹ G. B. Harrison, "Shakespeare's Topical Significances," *The Times* (London) *Literary Supplement*, November 20, 1930, p. 974.

1598 *Quarto 2* Valentine Simmes for Andrew Wise. Shakespeare's name appears on the title page and on that of each subsequent quarto. Of the eight copies known, one is in each of the following repositories: British Museum, Bodleian Library, Boston Public Library, the Trinity College (Cambridge), the Huntington, and the Folger Shakespeare libraries. This issue is a virtual reprint of *Quarto 1* (with a few corrections but many added errors); but after Act III, scene iv, the printer, apparently for reasons of economy, ran all the dialogue together (entries and stage directions were set in the margins) and got all within signature I, whereas *Quarto 1* includes signature K^{2r}.

1598 *Quarto 3* Valentine Simmes for Andrew Wise. There are thus two editions in 1598, each reprinted throughout. The title-page arrangements are alike, except that this one has a comma after "Simmes" and one after "churchyard" and has a final -e on the end of "solde." The unique copy (found in 1913 by Miss Henrietta C. Bartlett) is the rare possession of W. A. White, who in 1916 courteously permitted A. W. Pollard to issue a facsimile accompanied by a critical introduction.

1608 *Quarto 4* W[illiam] W[hite] for Mathew Lawe. At least five copies are known: British Museum, Yale, Clawson, Folger Shakespeare, Huntington. Three copies are extant which have the title page wanting:

White, Rosenbach, Crichton-Stuart. The deposing scene (Act iv, scene i) was here printed for the first time. The title page of Quarto 1 and Quarto 2 was reprinted.

The 1608 Quarto 4 also appeared with a changed title page. It was customary in Elizabethan reissues of subsequent quartos to print title pages, errors and all, verbatim, irrespective of intervening changes in the dramatic company or in the play itself. But two significant facts were corrected on the second title page of this 1608 quarto. The first title page read, "As it hath been publicly acted by the Right Honourable the Lord Chamberlaine his seruantes," when, in fact, in 1603, the Lord Chamberlain's Men by special patent (see chapter lxvii, Volume II) had become the King's men; hence the corrected title page of *Richard II* reads, "As it hath been lately acted by the Kinges Maiesties seruantes, at the Globe." The second correction on the title page is the addition: "With new additions of the Parliament Sceane, and the deposing of King Richard." This was the first time the deposing scene (Act iv, scene i, ll. 154-318) had been printed. These two facts necessitated a changed title page for this 1608 edition, and the new and enlarged title page was substituted in all remaining unsold copies. The two issues thus differ only in their title pages. The only known copy is that in the Bodleian Library. The new title page is reprinted, except for changes of printer, publisher, etc., in the following quartos.

- 1615 *Quarto 5* For Mathew Law. The some fourteen copies known are in the British Museum, Bodleian, Boston Public Library, Trinity College (Cambridge), New York Public Library, and Huntington Library. This issue supplied the basic text for the First Folio.
- 1634 *Quarto 6* Printed by John Norton. Of the more than twenty copies, one each is in the British Museum, Bodleian, Trinity College (Cambridge), New York Public Library, and Huntington Library. This was the earliest quarto to divide the play into acts and scenes.

In addition to the quartos listed above—five during Shakespeare's own lifetime, two of them in 1598—Jaggard (1911) lists a 1605 quarto wanting signature A* and having a manuscript title page. The manuscript title page scarcely evidences its authenticity as a 1605 quarto. *Richard II* has the distinction of being the only Shakespeare play which was twice printed in a single year. It is to be noted, too, that during Shakespeare's own lifetime two men controlled the copyright to this play: Andrew Wise held the copyright for the issues of 1597 and 1598; and Mathew Law subsequently owned the copyright, for on January 25, 1603, Wise transferred his rights to Law, as shown in Document 121.

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XLIII

THE PUBLICATION OF RICHARD III, 1597

HERE appeared in 1597, in printed form, Shakespeare's *The Tragedy of Richard the Third*, a chronicle-history play, which had made William Shakespeare one of the foremost playwrights of the day.

This first quarto consists of signatures A-M⁴, making a total of 48 unpagged leaves, the last of which is blank. Only five copies are known: British Museum, Bodleian, Folger, Huntington, and Yale

available for use in correction of the sixth quarto, when the Folio text was being prepared.¹

The title page of this first quarto, virtually repeated in each subsequent quarto, is typical of the advertising title pages printed in that day. In addition to employing the name of the notorious English king, the title page specifies detestable and villainous deeds of *Richard III*: (1) "His treacherous Plots against his brother Clarence"; (2) "the

patent from James I, been made the King's Men. Not until the quarto of 1612 was this changed to the "King's Maiesties seruants." Likewise, beginning with Quarto 3 (1602), the phrase "Newly augmented," when there was no augmentation or addition of any consequence, first appeared and was thereafter repeated on the title pages. London booksellers were concerned with effecting purchases and not with accuracy. While *Richard III* is not well printed, it is not one of the "bad"² quartos; nor does its publication in 1597, though written as early as 1593, appear to have been surreptitious. The titles "Rychard the third" and "Rychard the second" along with other titles and names are scribbled on the outside page of the Northumberland MS (for a facsimile and transcript of this page see Chambers' *William Shakespeare*, Vol. II, Plates XXIV and XXV).

The Register of the Stationers' Company has an entry relating to *Richard III* which is here given as Document 123.

The same entry in the Stationers' Register in which copyright for *Richard II* was transferred from the keeping of Andrew Wise to that of Mathew Law recorded a similar transfer of *Richard III* (see Document 121, above), under date of June 25, 1603.

The subsequent quartos and the dates of their publication are pretty definitely determined. From censuses by Pollard, Lee, Bartlett, Chambers, Jaggard, and others, and from firsthand examination of original quartos, the following are listed:

1598 *Quarto 2* Thomas Creede for Andrew Wise. William Shakespeare

² A. W. Pollard (*Shakespeare Folios and Quartos*, 1909) is responsible for the use of this term. The five quartos he termed "bad" were *Romeo and Juliet* (1597), *Henry V* (1600), *Merry Wives of Windsor* (1602), *Hamlet* (1603), and *Pericles* (1609).

[DOCUMENT 122]

[TITLE PAGE OF QUARTO 1 OF RICHARD III, 1597]

[Ornament] / THE TRAGEDY OF / King Richard the third. / Containing, / His treacherous Plots against his brother Clarence: / the pittiefull murder of his iunocent nephewes: / his tyrannicall vsurpation: with the whole course / of his detested life, and most deserued death. / As it hath beene lately Acted by the / Right honourable the Lord Chamber- / laine his seruants. / [Ornament] / AT LONDON / Printed by Valentine Sims, for Andrew Wise, / dwelling in Paules Church-yard, at the / Signe of the Angell. / 1597.

(only eight leaves). The title page here given as Document 122 and the details following are from the Huntington Library (Devonshire) copy. There is no head title; but the running title is "*The Tragedy of Richard the third*." There are neither act nor scene divisions. The author's name does not appear on the title page.

Scholars are pretty well agreed that this quarto was printed from a manuscript which had been shortened by the cutting of certain scenes in order to enable them to be played by a reduced number of players. The longer version of the play, perhaps Shakespeare's own manuscript marked for the theater, was

pittiefull murder of his iunocent nephewes"; (3) "his tyrannicall vsurpation"; (4) "the whole course of his detested life"; and (5) his "most deserued death." Even the phrase "As it hath beene lately Acted by the Right honourable the Lord Chamberlaine his seruants" is repeated in the title pages of the 1597, 1598, and 1602, and 1605 quartos, although in fact the Lord Chamberlain's company had in 1603, by special

¹ The most up-to-date study of the variations and emendations of quartos and First Folio texts of *Richard III* is that of E. K. Chambers in his *William Shakespeare*, I, 296-305. Some excellent collations and comparisons are those of P. A. Daniel in his "Introduction," pp. vi-xxi, to the Griggs facsimile (1885), where the results of the labors of other scholars are summarized.

appears on the title page as the author, and on each subsequent quarto title page. Of some seven copies known, one, the Devonshire, is at the Huntington Library.

- 1602 *Quarto 3* Thomas Creede for Andrew Wise. The title page reads "Newly augmented," but there is no fresh or additional text of any sort. Three copies are known: one in the British Museum, one at Trinity College (Cambridge), and one at Huntington Library.

- 1605 *Quarto 4* Thomas Creede for Mathew Law. The "Newly augmented" reappears on the title page but again with no new or altered material. The phrase is repeated on the subsequent quartos. Of some six copies, one is in Huntington Library.

- 1612 *Quarto 5* Thomas Creede for Mathew Law. Of some ten copies, one is in the Huntington Library. This quarto was printed mainly from *Quarto 3*; each of the other quartos was printed from its immediate predecessor.

- 1622 *Quarto 6* Thomas Purfoot for Mathew Law. This text appears to be the one chiefly used for the First Folio. The six known copies are in the Huntington Library and the British Museum.

Additional quartos were issued—one in 1629 by John Norton to be sold by Mathew Law, and one in 1634 by John Norton.

It is clear that during Shakespeare's lifetime five separate quarto editions were issued and a sixth (1622) on the eve of the publication of the First Folio. It is clear, too, that the copyright of this popular play was for three issues controlled by Andrew Wise and for the next three issues by Mathew Law. These were the two men who, likewise, owned the copyright of *Richard II*, Wise, on June 25, 1603, having transferred his right to both plays to Mathew Law.

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1579; some eleven holographic copies of this manuscript Latin play extant; Bodleian (2), Cambridge (2), British Museum, Folger, Huntington (Hn. MS 179) among the possessors

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[DOCUMENT 123]

[STATIONERS' REGISTER ENTRY RELATING TO *RICHARD III*, 1597]*

[1597] 20 Octobris

Andrew wise /

Entred for his copie vnder th[e h]andes of master Barlowe, and master warden man./ *The tragedie of kinge Richard the Third with the death of the Duke of Clarence* vjd

* Arber, *Transcript*, III, 93.

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XLIV

THE PUBLICATION OF ROMEO AND JULIET, 1597

THE highly popular tragedy, *Romeo and Juliet*, by William Shakespeare, was issued in a corrupt and imperfect quarto in 1597. Its title page, the Stationers' Register entries, and other items relating to it need to be considered.

This 1597 first quarto edition is in signatures A-K⁴, making a total of 40 unpagged leaves. Five copies are known; they are in the British Museum, the Bodleian, the Trinity College (Cambridge), the Huntington, and the Folger Shakespeare libraries.

marks of an attempt to appeal directly to the popular eye. Obviously John Danter, the printer, who had issued *Titus Andronicus* in 1594, did not publish *Romeo and Juliet* for any particular bookseller. It may be that he himself assumed the task of selling the new volume. The striking word "Excellent" is suggestive of the reputation which the play had already won for itself, virtually within a year of its presentation on the London stage. It was a "conceited [fictitious, as opposed to historical] Tragedie." Moreover, it had

phasis has been placed not on the content of the play, as in *The Contention* (1594) or as in *Richard III* (1597), but rather on the fact that it had been well received. John Danter demonstrates that as a printer his finger was on the public pulse. The name William Shakespeare does not appear on the title page as the author. The very short imprint, "LONDON, Printed by John Danter, 1597," indicates a printer's title page rather than a publisher's. It is noteworthy that the second quarto (1599), published by Cuthbert Burby, intensified this "Excellent" by making the title page read "THE MOST EXcellent and lamentable Tragedie, of *Romeo and Juliet*, . . .," the form re-employed in each of the subsequent quartos.

Much as one would like to consider it true, there is no evidence to support the oft-repeated assertion that the second quarto was issued in 1599 to offset and supplant the "bad" text of 1597. To begin with, neither of these issues was entered in the Registers of the Stationers' Company. Then Elizabethan publishers were not commonly actuated by any such noble motive as that of providing an authentic text to replace a faulty one.

during this period that the company was designated as "the right Honourable the L. of Hunsdon his Seruants." Henry Lord Hunsdon was Lord Chamberlain when he died on July 22, 1596, and the company had been called the Lord Chamberlain's Men. For a period of about seven months Lord Cobham was the Lord Chamberlain; and on March 17, 1597, George, Henry's son and the patron of the dramatic company, was appointed to the position, and his company again assumed the honorable designation.

[DOCUMENT 124]

[TITLE PAGE OF QUARTO 1 OF ROMEO AND JULIET, 1597]

[Ornament] AN / EXCELLENT / conceited Tragedie / of / Romeo and Iuliet, / As it hath been often (with great applause) / plaid publicquely, by the right Ho- / nourable the L. of Hunsdon / his Seruants. / [Danter's printer's device.]* / LONDON, / Printed by John Danter. / 1597

* See R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 281.

This quarto, as A. W. Pollard¹ terms the group, is one of the "bad" Shakespeare quartos. The title page here given (Document 124) and the subsequent details and analysis are from the copy (not in the best condition) in the British Museum. The title page, while not so long and so verbose as that of some of the earlier printed quartos, bears ear-

been (1) "often plaid" (only use of "often" on a title page of a Shakespeare play published during his lifetime), (2) "publicquely," (3) "with great applause," (4) and "by the right Honourable the L. of Hunsdon² his Seruants." Here the em-

¹ Boswell, in the 1821 edition of Malone's *Variarum* (II, 345) pointed out that the publication of *Romeo and Juliet* must have taken place between July 22, 1596, and March 17, 1597 (Boswell gives April 17, obviously in error), in that it was only

¹ *Shakespeare Folios and Quartos*, 1909, pp. 64-80.

John Danter printed only two of the Shakespeare quartos: *Titus Andronicus* (1594) and *Romeo and Juliet* (1597). Cuthbert Burby published only two of the Shakespeare quartos: *Love's Labour's Lost* (1598) and *Romeo and Juliet* (1599). Thomas Creede printed the "good" *Romeo and Juliet* of 1599, but he also printed the "bad" *The Contention* (1594) and *The True Tragedy* (1595). Danter, Roberts, and Jaggard seem to have been printers of Shakespeare items for which they themselves assumed the bookseller's role also; or perhaps they printed for an anonymous bookseller. Valentine Simmes, Thomas Creede, William White, Peter Short, George Eld, and Nicholas Okes seem to have been printers of quartos for which booksellers had merely engaged their services. It will be recalled, too, that Richard Field (1593) printed the first quarto of *Venus and Adonis* with no especial publisher indicated on the title page. John Danter, eager to share in the profits promised by the popularity of *Romeo and Juliet* in the playhouse, anticipated a brisk demand and in 1597, to quote Pollard, "pushed a hastily got-up edition through the press by any means he could."

Even a casual comparative examination (see P. A. Daniel's *Parallel Text* edition, 1874) of Quarto 1 and Quarto 2 of *Romeo and Juliet* reveals the corrupt text and inferior printing of Quarto 1. Quarto 1 has only 2,232 lines, or 775 fewer than Quarto 2. While Quarto 2 is printed throughout in the same font of type, Quarto 1, up to and including Act II, scene iii, line 81, is printed in a larger font and the remainder of the play is printed in a much smaller type.³ In neither quarto are there act and scene divisions; nor are there any in the subsequent quartos, nor in the First Folio.

Quarto 2 has rather full stage directions, with some indications of the properties used. This indicates either the prompter's or the author's hand—even to the clear sign of it in the substitution (iv, v, 102) of the actor's name for that of the character in the play: "Enter Will Kemp" for "Enter Peter." That the text of Quarto 1 is the corrupt product perhaps of some reporter is indicated many times throughout the play, which deteriorates more and more after II, vi. Thus, the reporter, getting confused in

longer version. Each is based on the same original manuscript version—probably the author's manuscript version touched up by the director, and then used by the actors in the theater.

The relation between the texts of Quarto 1 and Quarto 2 has not been established. Quarto 2 has indications of having been printed from a theatrical manuscript, probably a prompt copy, but on the other hand there are indications, such as the use of italics, that parts of it were printed from Quarto 1.

[DOCUMENT 125]

[ENTRY IN STATIONERS' REGISTER RELATING TO
ROMEO AND JULIET, JANUARY 22, 1607]*

[1607] 22. Januarij

Master Linge Entred for his copies by direcon of A Court and
with consent of Master Burby vnder his handwryt-
inge These. iij copies
viz.
Romeo and Juliett.
Loues Labour Loste.
The taminge of A shrewe

xviiij^d R

* Arber, *Transcript*, III, 337.

the mass of lines, stage directions (in place of the lines themselves) that are a combination of directions to the actors and aid to the reader, set down: "They draw, to them enters Tybolt, they fight, to them the Prince, old Mountague, and his wife, old Capulet, and his wife, and other Citizens, and part them." Likewise he has the following take the place of "whole handfuls of speeches": "All at once cry out and wring their hands"; "They all but the Nurse goe foorth, casting Rosemary on her and shutting the Curtens." Critical comparison of the two texts indicates that Quarto 1 may be a reported⁴ imperfect and shorter version of the play as it appears in the second-quarto more nearly perfect and

The Register of the Stationers' Company has entries for *Romeo and Juliet* here provided as Documents 125 and 126.

Despite quarto editions of *Romeo and Juliet* in 1597 and 1599, no entry appears about the play in the Stationers' Register before January 22, 1607, when Master Burby, publisher of Quarto 2, by handwritten release, transferred his copyright of it to Nicholas Linge. On the following November 19, 1607, Nicholas Linge transferred his right to John Smethwick.

Smethwick issued three subsequent editions: one in 1609, one undated, and one in 1637. Not before Meres (1598) was there any contemporary notice of *Romeo and Juliet*. The popularity of the play may be suggested by an entry in the Stationers' Register, August 5, 1596, to Edward White: "a newe ballad of Romeo and Juliett." Ballads not infre-

³ The records of the court of the Stationers' Company contain an entry which may have some connection with the use of two presses in the printing of Quarto 1 of *Romeo and Juliet*. In April 1597 Danter was in difficulty with that organization for printing a "Jesus psalter, and other things without authoritie." His place was raided, and he was taken into court, where it was ordered that his two presses "shal be defaced and made unserviceable for printing." See W. W. Greg and E. Boswell's *Records of the Court of the Stationers' Company, 1576-1602 from Register B*, 1930, p. 56.

⁴ Much of the evidence is collated by E. K. Chambers in his *William Shakespeare*, I, 341-47; and Herbert A. Evans in his "Introduction" to the Praetorius (1886) facsimile of the 1597 quarto presents convincing materials.

quently were issued hard upon the development of a given play's popularity.

The several quarto issues of *Romeo and Juliet* are now fairly well determined, though the actual year of the undated issue is not certain. From censuses by Jaggard, Pollard, Lee, Chambers, and Bartlett, and from firsthand contact with originals, the following list has been prepared:

1599 *Quarto 2* Thomas Creede for Cuthbert Burby. Shakespeare's name did

The title page appeared in two forms: the first does not have the name of the author; whereas the second reads: "Written by W. Shakespeare." Only the title pages vary; the texts are approximately identical. Of the first form, three copies are known: British Museum, Edinburgh University, and Huntington Library. Of the second form, containing the name of the author, at least eight copies are extant, among them ones at British Museum (Malone) and

E. W. ASHBE, *Romeo and Juliet* . . . 1599, 1865

E. W. ASHBE, *Romeo and Juliet* . . . [1607], 1868

E. W. ASHBE, *Romeo and Juliet* . . . 1609, 1869

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CHARLES PRAETORIUS, *Romeo and Juliet, by William Shakespeare. The Undated Quarto. A Facsimile* (from the British Museum Copy, C. 34, k. 56). Introduction by H. A. Evans, 1887. *Shakespeare Quartos*, Vol. 36

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P. A. DANIEL, "Romeus and Iuliet" [by] Arthur Brooke [and] "Rhomeus and Iuli-

[DOCUMENT 126]

[ENTRY IN STATIONERS' REGISTER RELATING TO ROMEO AND JULIET, NOVEMBER 19, 1607]*

[1607] 19. Novembris

John Smythick. Entred for his copies vnder th[e h]andes of the wardens. these bookes followinge Whiche dyd belonge to Nicholas Lyng

viz.

[a total of sixteen items is listed]

6 A booke called *Hamlett* vjd

10 *Romeo and Juliett* vjd

11 *Lones Labour Lost* vjd

* Arber, *Transcript*, III, 365.

not appear on the title page. Of the dozen or more copies known, copies are in the British Museum, the Bodleian, the Folger Shakespeare, and the Huntington libraries. The play is announced as "Newly corrected, augmented, and amended."

1609 *Quarto 3* Printed for John Smethwick. Shakespeare's name was not on the title page. Of the six known, copies are in the British Museum, Bodleian, Trinity College, and Huntington. It is virtually a reprint (with a few corrections but with more additional errors) of *Quarto 2*. The First Folio text was based on this quarto edition.

Undated *Quarto 4* Printed for John Smethwick. Shakespeare's name did appear on the title page—Jaggard to the contrary notwithstanding.

Huntington. This *Quarto 4*, judging by internal evidence, was printed from *Quarto 3*.

1637 *Quarto 5* Title page and text appear to be a duplication of the undated *Quarto 4*, except that the title page reads: "Printed by R. Young for John Smethwicke, etc." Some thirty copies are known, one each of which is in the British Museum, the Bodleian, Boston Public Library, Trinity College (Cambridge), New York Public Library, the Folger Shakespeare Library, and the Huntington Library.

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XLV

THE PAYMENT OF HIS TAXES DEFAULTED BY WILLIAM SHAKESPEARE, 1597-1600

HERE are in the Public Record Office five documents showing that William Shakespeare defaulted the payment of taxes during the period 1597 to 1600. The first document, (A, p. 264) Certificate (Subsidy Roll 146/354) for November 15, 1597, lists William Shakespeare as one who had failed to pay the "second payment of the last Subsidy"; that is, one of the three levied by Parliament in 1593. A new subsidy was levied by Parliament in 1597, and the remaining four documents deal with Shakespeare's failure to pay the 13s. 4d., then assessed him. They consist of: the Subsidy Roll of October

1, 1598 (B, p. 265); the Lord Treasurer's Remembrancer of 1598-99 (C, p. 265); the Pipe Roll of the Exchequer of October 6, 1599 (D, p. 266); and the Pipe Roll of the Exchequer of October 6, 1600 (E, p. 267). The Subsidy Roll merely gives the list of assessments; the collectors indicated that they were unable to collect from certain individuals, among whom was William Shakespeare. Accordingly the arrear was reported and recorded both in the Lord Treasurer's Remembrancer of 1598-99 and in the Pipe Roll of the Exchequer of October 6, 1599. And since Shakespeare had by this time been traced to Sussex (whither he had moved), his

name was transferred to the Residuum Sussex of the Pipe Roll and entered under October 6, 1600, so that collection might be made there.

J. W. Hales was the first to bring the entire group to light,¹ having first dealt with them before the Surrey Archaeological Society on October 11, 1902. Hunter (*New Illustrations of Shakespeare*, I, 76) declared in 1845 that the Subsidy Roll of October 1, 1598, had been heretofore "entirely unknown." Inaccuracies in spelling aside, Hunter presented a good transcript of the entire "St.

¹ See J. W. Hales, "London Residences of Shakespeare," in *The Athenaeum*, March 26, 1904, pp. 401-2.

Hellens parishe" list (B, p. 265). J. O. Halliwell-Phillipps (*The Life of William Shakespeare*, 1848, pp. 180-82), correcting some errors, printed the complete list. Short excerpts from each of the four documents dealing with Shakespeare and the 1597 subsidy, in transcript and in facsimile, were printed by M. S. Giuseppi in his "The Exchequer Documents Relative to Shakespeare's Residence in Southwark," in *Transactions of the London and Middlesex Archaeological Society*, 1926, New Series, Vol. V, Part iii, pp. 281-88. Sir E. K. Chambers in *William Shakespeare*, 1930, II, 87-88, reprints similar short excerpts.

This group of documents relative to Shakespeare's defaulting the payment of his taxes cannot be adequately understood without some knowledge of tax systems leading up to and operative in the 1590's. Any history of taxation of any country or any people is inseparably linked with its land laws (for England see W. S. Holdsworth's *An Historical Introduction to the Land Law*, 1927), its economic conditions, and its political-social activities.

Primitive Briton folk (the Celts) had their tax system, but of its operation virtually no details are extant. Perhaps generous gifts from the favored, exacted tributes, and materials gathered on pilfering raids were the most direct sources of funds for meeting government expenses. Certainly our earliest Anglo-Saxon forefathers resorted to these very effective methods during a period when might actually was right. The Roman Empire, practical always, garnered its taxes in the several outlying provinces in the manner current in each district. In Anglo-Saxon England, even under Roman jurisdiction, the chief method of raising revenues was that of contributing "a certain per centage of the produce," for real money was very scarce. "Taxes in kind" (Anglo-Saxon *feorum-fultum* or "produce in kind") were the vogue—a certain share or division of the pigs, calves, lambs, etc.; of chickens, geese, eggs, etc.; of fish, venison, and other wild game; of hay, corn, barley, etc.; of wood, timber, etc. The old records show that it was not the contributions "in

kind" that were complained against but rather the muddy roads and the dilapidated bridges over which the taxpayer had to pass in delivering his contribution to the "fiscal granary or barn." Some early Roman records indicate that the early Britons had a "flesh and milk" tax (*scriptura*); likewise a poll (*capitolia humana*) or head tax, which was taken over by the Anglo-Saxons and was operative in Elizabethan days (as our 1597-1600 tax documents show) and which is not unknown in English-speaking countries still. With the gradual organization of the Anglo-Saxon peoples into townships (*tūn*, "hedge"; originally a hedged-in or fenced-in homestead or village), hundreds (a group of townships indefinite in number, so called because they were occupied by one hundred warriors), and shires,² tax revenues in money came to be substituted more and more for "produce in kind." Land tax or produce from the land later came to be the chief basis of taxation and continued so until the thirteenth century. With the gradual elimination of tribal rivalries and superimposed tributes (the Icenia and Boadicea revolted against the taxes and against Suetonius) and with the growing strength of centralized kings (the folkland of earlier Anglo-Saxons became the king's land, the system of taxation became more and more uniform. However, every system finally arrives at a point where it is no longer adequate to the situation: hence gradually land tax, Danegeld³ and carucage lost their practical efficiency and were supplanted by other systems dictated by the newer economic pressure. It should be remembered, however, that no given system or local custom ever quite passes away; always the remnant thereof persists. Of the very essence of English life is the progressive accumulation of local customs. The Elizabethan tax system comprised practices of previous centuries brought to a focus by Elizabethan economic conditions.

Long before the Norman regime the

² From *scir*, "shire" < A. S. *scieran* = "to cut off or to shear off"; each under the official control of a king's officer the sheriff, a *scir* or shire *gerefa* or officer.

Anglo-Saxon scheme of things was shaping itself, unconsciously of course, toward the system perfected by William and his successors (1066-1334). The feudal system was not of the Conqueror's invention or of his perfecting; that, actually, was left for William Rufus. William's coming—and he was not a Latin—merely necessitated a more rigid application of principles already operative among the English. Indeed he expressed himself as wishing to govern England as she had been governed. A central king over many petty kings, with the multitude under free homage to them, was the necessary economic-social order of the day. Manors and lords of the manors are almost offensive terms today, but were not so then. *The Domesday Book* (1086) shows 1,422 manors or lordships. The lands of one who revolted were confiscated, and a lord was appointed to control his territory. As a consequence, the new system of taxation was molded on this very scheme: the king's needs—they were the national needs—were prorated among the manors and the lords of the manors, though the Sheriffs (king's officers) levied and collected the taxes. Instead of the old Anglo-Saxon percentage of "produce in kind," the method of fifteenths and tenths (Anglo-Saxon *teoda*, "tenth": cf. tithe) was inaugurated. This tax was essentially a tax on personality, a levy on goods, rather than on land, and was proportioned thus: one-fifteenth in the country, where money was scarce; and one-tenth in the cities and towns, where money was more plentiful. By 1332, Henry III, this stereotyped one-fifteenth and one-tenth came to be definitely established; after 1334, it was the fixed rate. While 1623 (the year of the First Folio) saw the last of the fifteenths and tenths, it had remained the chief system of taxation throughout the Middle Ages. The earlier land tax had failed because the evaluation of land remained constant and did not provide an elastic re-evaluation, upward or downward, as its condition and productivity might war-

³ *Geld*, "tax"; Danegeld was money collected to bribe off the piratical Danes; Witan, 991, first instituted it; Edward the Confessor, 1051, ended it.

rant and hence the tax revenues came more and more to be inadequate. Likewise the fifteenths and tenths, a somewhat fixed and inelastic rate, did not meet the growing economic needs during the reigns of the later Tudor kings: for (1) this was the time of great English national expansion; (2) the defeat of the Armada (1588) had to be paid for; and (3) the English people were preparing for a second Armada (1591) to be sent against them. A new tax levy had to be devised.

To the Tudor kings must be accorded the devising of a special tax plan—that of the subsidy. While the system of fifteenths and tenths was operative throughout and for a time after the Elizabethan regime, the subsidy was inaugurated as an additional tax levied on both lands and goods, virtually nothing escaping. "It derived," so Tait (*Taxation in Salford Hundred*, p. xxi) asserts, "from the fifteenth and the tenth on movables on the one side and, from the fifteenth century, was taxes on land and income on the other." And yet a compulsory auxiliary tax was not altogether new, for tallage had been imposed on occasion in 1168, 1173, 1189, 1194, 1227, 1230, 1234, 1246, 1255, 1265, 1283, 1288, 1294, 1303, 1312, and 1332(?). Edward III tried to revive tallage in 1332; but the fifteenth and the tenth were definitely substituted as compromise taxes.

The subsidy was a turning point in the history of English taxation in that it was the first tax to associate land with personal property as a basis for direct taxation for state purposes. It was a scheme of parallel assessment of land and personality (goods). To meet the growing and exorbitant needs, the fifteenths and tenths were doubled, tripled, quadrupled, and even octupled. Subsidies, too, were doubled, trebled, and quadrupled. Parliament was reluctant, at first, to grant such additional taxes; but funds had to be secured in some fashion. During Elizabeth's reign no fewer than nineteen such subsidies were granted her—largely for national defense against the Roman Church, which England had cast off in 1534. With the fall of the Stuart kings, the levy of 1643

saw the last of the subsidy. From the Statutes at Large (Acts of Parliament) and from the Rolls in the Public Record Office, these Rolls and Great Rolls of the Pipe bearing the date of the statute granting the subsidy rather than the date of the year in which the receipt is made, one may present the fifteenths and tenths and the nineteen subsidies

that shall look into other countries, and consider the taxes, and tallages, and impositions, and assizes, and the like, that are everywhere in use, will find that the Englishman is most master of his own evaluation and the least bitten in pane of any nation in Europe."

A. In a Certificate of the London Commissioners (Subsidy Roll 146/354

[DOCUMENT 127]

[CERTIFICATE OF LONDON COMMISSIONERS RECORDING WILLIAM SHAKESPEARE'S DEFAULT OF TAXES, 1597]

London ss [scire scilicet = be it known that, etc.] We whose names are subscribed Commissioners of our sovereign Ladye the Quenes mat^e amongst others assigned within the sayde Cytye for the taxacōn leveying and gathering of the second payment of the last Subsydye of the three entire subsidyes latelye graunted vnto her maiestye by her highnes laye subiectes by acte of parliament holden at westminster in y^e xxxvth yere [1593] of her maiesties reigne Do signifye and declare vnto the right honorable the Lorde highe Treasurer of England the Barons of her mat^es Cort of Exchequer and to all others her mat^e officers ministers and loving subiectes to whom in this behalf yt maye app[er]teyne and by euerie of them That on the daye of the date hereof there did appeare and come p[er]sonallie before vs the sayde Commissioners Iohn Robinson the younger merchantailor and Beniamyn Firwyn [?] Grocer petty collectours of the

granted Elizabeth⁴ during her reign as follows:

| Year | Increases | Subsidies under New Impositions |
|---------------|----------------------|--|
| 1559 | 2 15th's and 10th's | |
| 1562 | 2 15th's and 10th's | |
| 1565 | 1 15th and 10th | 1 |
| 1566 | 1 15th and 10th | 1 |
| 1570 | 2 15th's and 10th's | 1 |
| 1575 | 3 15th's and 10th's | 1 |
| 1581 | 2 15th's and 10th's | 1 |
| 1585 | 2 15th's and 10th's | 1 |
| 1587 | 2 15th's and 10th's | 1 |
| 1588 [Armada] | 4 15th's and 10th's. | 2 |
| 1593 | 6 15th's and 10th's | 3 |
| 1597 | 6 15th's and 10th's | 3 |
| 1601 | 8 15th's and 10th's | 4 |

It was during a period of high taxation like this that Bacon wrote: "He

in the Public Record Office) for November 15, 1597, the name "William Shacksperc" appears in St. Helen's Parish, Bishopsgate Ward, London, as one of those from whom the "money on them severally taxed and assessed towarde the sayde second payment of the sayde laste subsidye neither might nor could by anye means by them the sayde petty collectours or either of them be leveyed of them or anye of them to her mat^es vse." This subsidy—here the "second payment of the last Subsydye"—was one of the three subsidies granted by Act of Parliament to Elizabeth in 1593. No records have been found to show whether or not Shakespeare paid his share of any of these three subsidies. Shakespeare was one of those who were "all ether dead dep[ar]t[ed] and gone out of the sayde warde or their goodes soe eloinged or conveyed out of the same

⁴ See also James Tait's "Introduction" to his *Taxation in Salford Hundred*, p. xxviii, and Stephen Dowell's *History of Taxes in England*, I, 141, for similar lists.

or in such pryvate or Covert manner kepte," so that the subsidy could not be collected. Shakespeare is assessed as on goods valued at £5 (\$200); and the payment due is 5s. (\$10). The original payment was to have been a total of "xiiij 4^d"; earlier installments may have been paid, but there is no known record. M. S. Giuseppi ("The

some care and although I have found other items relative to the subsidy payments in respect to the 1597 assessment, I have failed so far to find the Shakespeare one. But the interval between 1597 and 1613 is a long one and the payment of the debt may well be recorded on one of the intervening rolls." There is a possibility, but not a probability,

1597-98. This indenture is the report of two "Petty collectors," "ferdy-nando clutterbooke Draper & Thomas Symons Skynner," who had been appointed to the task of collecting the subsidy in Bishopsgate Ward by the three Commissioners delegated by the crown to supervise the collection of the entire subsidy. The three Commissioners were Sir Richard Salltonstal, Lord Mayor of London, and his two predecessors in that office, Sir John Hart and Sir Henry Billingsley. Commissioners for subsidy collecting were, according to a contemporary description, "of the most sadd [sober] and discrete persons." This indenture is one not for the conventional fifteenth and tenth taxes of the period but for one of the special eighteen subsidies (an additional parallel tax on lands or on goods) granted the Queen during her reign. This report concerns the first of three subsidies to be paid, in accord with the 1598 grant, over a period of three years.

The indenture has marked the delinquents thus: "Affid." Among the defaulters, those who on October 1 had not paid their subsidies, is listed William Shakespeare: "Affid William Shakespeare . . . vii . . . xiiij. iij^d." He had been assessed on goods to the amount of £5 (about \$200), and taxed 13s. 4d. (\$26). The "Affid" is the evidence of oath or affidavit that the "Petty collector," for some not definitely known reason, had not collected Shakespeare's subsidy.

The initial section of text is followed by lists, in order, of "Allhalloues parishe," "St. peeters p[ar]ishe," "St. Martins Overiche p[ar]ishe," "St. Helens p[ar]ishe," etc., with totals at the bottom of each sheet and the adding of totals (as described in Tannenbaum's *Handwriting of the Renaissance*, pp. 158-59). Only the "St. Hellens parishe" list, which is the largest, is here included, as Document 128.

C. The "Lord Treasurer's Remembrancer [auditor's report] Enrolled Accounts of Subsidies, No. 56," for 1598-99, for St. Helen's Parish, Bishopsgate Ward, London, likewise lists William Shakespeare as a defaulter. The arrears

sayde second payment of the sayde last subsidye within the warde of Byshopsgate London who vpon their corporall othes vpon the holyc Evangeliste of Allmightye God then and there solempnly taken & made dyd saye and affirme that the persons herevnder named are all ether dead dep[ar]t[ed] and gone out of the sayde warde or their goodes soc cloigned or conveyed out of the same or in such pryvate or Covert manner kepte whereby the seuerall Somes of money on them severally taxed and assessed towarde the sayde second payment of the sayde laste subsidye neither might nor could by anye meanes by them the sayde petty collecto^{rs} or either of them be leveyed of them or anye of them to her maties vse [Then follow the lists of names from Allhallows, St. Peters, St. Martyns, St. Ellens, etc.]

St Ellens p[ar]ishe

| | | |
|--------------------|-------|------------------|
| Peter Dallila | lli | ls |
| William Shacksperc | vli | vs |
| Thomas Stythe | xxxli | xxx ^s |
| William Boyese | xxxli | xxx ^s |

Exchequer Documents Relative to Shakespeare's Residence in Southwark," *Transactions London and Middlesex Archaeological Society*, Vol. V, Part iii [1926], p. 288) asserts: "I have examined the account of the Ward of Bishopsgate and find that the defaulters named therein, including William Shakespeare for the sum of 5s. on his goods, are said to answer in the 11th roll in [blank] London. This means the roll of the 11th year of the reign of King James I up to Michaelmas, 1613. Unfortunately no reference is given to the precise London roll of the Pipe Roll and as there are about a dozen of these for the year in question, all very long and closely packed with entries, it is not easy to say definitely that the item relative to William Shakespeare is not on any of these membranes. I have examined them with

that Shakespeare's name may yet be discovered in these lists.

The passage from the Subsidy Roll of November 15, 1597, concerning Shakespeare's defaulting of the 1593 subsidy is here given as Document 127.

The remaining documents in this chapter are concerned with Shakespeare's default of taxes levied by the 1597 subsidy.

B. An indenture, or official list, issued by the Commissioners, October 1, 40 Elizabeth, 1598, lists William Shakespeare among the defaulters residing in St. Helen's Parish, Bishopsgate, London. The Public Record Office identifies this manuscript as "Public Record Office Exchequer Lay Subsidies, City of London, 146/369." The subsidy concerned was a grant to Elizabeth by Act of Parliament, 39 and 40 Elizabeth,

recorded in the subsidy of the petty collectors were transferred to the Exchequer of the Lord Treasurer, and hence the names of the defaulters and their delinquent taxes correspond to the defaulters marked "Affid," in the previous list. Here the highly abbreviated legal Latin is employed; moreover the names and subsidies are not listed in columns but are written one following the other in long lines across the page. This document, a large roll of a great many membranes, contains the enrolled accounts of Bishopsgate and five other wards. Only the Bishopsgate portion is reproduced here, as Document 129.

D. In the Pipe Roll of the Exchequer in membrane "Residuum London," dated October 6, 40 Elizabeth, 1599, the name of William Shakespeare still appears on the list of defaulters. The Exchequer (named from the checkered cloth on which accountants told out the money allowed for maintaining the king's household), established after the Norman Conquest, was reorganized by Henry II. Odo, Bishop of Bayeux and Earl of Kent, had been the first Royal Treasurer. Easter and Michaelmas were taxpaying days. The Exchequer had consisted of the upper or Chancery part that dealt with legal matters relating to tax levying and collecting, and the lower part which had to do with the receipt of money. Richard I separated the Chancery from the Exchequer. The Lord Treasurers' Rolls, on which the final settlements of accounts were recorded, were called, from their appearance, the "Great Rolls of the Pipe." That of 31 Henry I, 1130-31, is the earliest Pipe Roll we know.

The Latin original repeats the names after the document proper, which is given here as Document 130.

On the back of this roll is "Res London," indicating that when this list was prepared it was of persons thought to be living in London. The added note "Respondere in rotulo sequente in residuum Sussex" and the marginal index "Surr R" suggest that the Lord Treasurer had information that William Shakespeare could be found on the south bank of the Thames in Sussex (Sussex

[DOCUMENT 128]

[INDENTURE BY LONDON COMMISSIONERS LISTING WILLIAM SHAKESPEARE AS A DEFAULTER, 1598]

BUSSHOPSGATE

THIS INDENTURE MADE y^e first day of October in y^e fortyth yeare of y^e reigne of our sovereigne Lady Elizabeth [1598] by y^e grace of God Queene of England ffrance and Ireland Defender of y^e Faith &c BETWEEN y^e right honorable Sr Richard Salltonstall knight Lord Maior of y^e cyttie of London Sr John Hart and Sr Henry Billingsley knightes y^e Queenes Ma^{tes} Commissioners amongst othe^{rs} authorized by his highnes Commission vnder y^e greate scale of England for y^e taxation levyeing and gatheringe of y^e first subsidye of y^e three entire subsidies latelic graunted to hir Ma^{tie} by y^e highnes lay subiectes by Act of Parliamt holden at Westm^{er} in y^e xxxixth yeare of hir Ma^{tes} reigne wth in y^e sayd Cytie of London on thone thone p[ar]tie and fferdynando clutterbooke Draper & Thomas Symons Skynner Cittizens of y^e said Cytie whome y^e sayd Commissione^{rs} have named deputed and chosen and by theise p[re]sentes doe name depute & choose to bee Pettie collecto^{urs} of y^e said first subsidye in y^e ward of Bushoppsgate wth in y^e sayd Cytie on thother p[ar]tie WITNESSETH y^t y^e sayd fferdinando Clutterbooke and Thom^s Symons soc named deputed appointed and chosen to bee pettie collecto^{urs} in y^e sayd warde and authorized thereunto by theise p[re]sentes shall receive levye collect and gath^{er} of all and everye the seu^{er} all persons hereafter named to y^e queenes Ma^{tes} vse all such seu^{er} all sommes of monye as in this p[re]sente extract beene taxed and assessed vppon them and every of them for their seuerall values and substances rated spcified and coneyned as hereafter followeth y^t is to saye of

| | | | | | |
|-----------------------------------|---|-------|---------------------|--------------------|--------------------|
| | | | | | |
| S: ^t Hellens p[ar]ishe | | | | | |
| | Sr John Spencer knight a commis- | | | | |
| | sioner | cccli | xlii | | |
| ni | William Reade in landes | cli | xxxli | | |
| on | John Robinson the elder | cli | xiiij ^{li} | vi ^s | viiij ^d |
| | Richard Taylor docto ^r in landes | | | | |
| | and fees | xli | xl ^s | | |
| | Peter Turner docto ^r in landes & | | | | |
| | fees | xli | xl ^s | | |
| | Peter Dallyla | xxxli | iiij ^{li} | | |
| Affid | Robert Honywood gent in landes | xlii | viiij ^{li} | | |
| | John Allsoppe | li | vj ^{li} | xiiij ^s | iiij ^d |
| | John Morrys | xxxli | iiij ^{li} | | |
| | Robte Springe | xxxli | iiij ^{li} | | |
| | Edward Swayne in lande & fees | xli | xl ^s | | |
| | Jeames Scoles | xxli | liij ^s | iiij ^d | |

Jean Lomley widdowe
Anthony Snoade
James Raking
Walter Briggen
John Robinson the younger
John Prymme
Affid William Shakespeare

George Axon
Edward Jackson
Edward Jorden
John Jeffrey
Xrofer Eland

Affid Oswald fletche

Affid John Stockett Jeckett
John Susan

Sisley Eyoll widdowe
William Winkefelde
Thomas Childe

Richard Rysbey
Tymothe Bathurst
James Elwicke

Affid William Cherle
Francis Wells
Henry Mawnders

Affid Wm Peole
William Staffely

Affid Thoms Morley
Henry Hetherband

Straungers

Leven Vander Stylt
Affid Jarrone Martyn
Peter Vegleman
p. sig Augustine de Bewly
John de Clarke
Leven Vander Stiltes wief
p[er]poll

Esay Mislonde Mathew Stilton &
Barbery Capon his serūntes

Affid Doctor Cullymore
Affid Lawrence Bassell

Affid Peter his sonne p[er]poll
Affid Peter Greade Davye ffayrecooke &
ffrauncis Dynne serūntes p[er]poll
Sherrett Bawkes

| | | |
|-------|--------|-------|
| ijli | vijjs | |
| xli | xxvijs | viiid |
| ijli | vijjs | |
| vli | xijjs | iiijd |
| xli | xxvijs | viiid |
| ijli | vijjs | |
| vli | xijjs | iiijd |
| ijli | vijjs | |
| ijjs | vijjs | |
| vijli | xxjs | iiijd |
| ijli | vijjs | |
| ijli | vijjs | |
| xxli | lijs | iiijd |
| ijli | vijjs | |
| xxli | lijs | iiijd |
| ijli | vijjs | |
| ijli | vijjs | |
| ijli | vijjs | |
| xxli | lijs | iiijd |
| xxli | lijs | iiijd |
| ijli | vijjs | |
| ijli | vijjs | |
| ijli | vijjs | |
| xli | xxvjjs | viiid |
| ijli | vijjs | |
| vli | xijjs | iiijd |
| ijli | vijjs | |

| | | | |
|-------|--------|-------|-------|
| lli | xijli | vijs | viiid |
| xli | lijs | iiijd | |
| xxli | vli | vjs | viiid |
| xxli | vjli | xijjs | iiijd |
| xvli | iiijli | | |
| viiid | | | |

| | |
|-----------|--------|
| p[er]poll | ijjs |
| vli | xxvjjs |
| vli | xxvjjs |
| viiid | |

| | | |
|-----|-----|-------|
| xli | xjs | viiid |
|-----|-----|-------|

[Concluded on p. 268]

and Surrey were then under one jurisdiction). The "R," Chambers holds, is an R canceled when the account was transferred to the Surrey district.

E. In the Pipe Roll of the Exchequer in membrane "Residuum Sussex" for October 6, 1600, the name of William Shakespeare is continued on the list of those not having yet paid the subsidy granted and assessed in 1598 in St. Helen's Parish, Bishopsgate Ward, London. The entry is here provided as Document 131.

This is the fourth time Shakespeare has been listed as a delinquent. The canceled "R" next to London suggests that Shakespeare has been located outside of London, and the note "Episcopo win-tonensi" indicates that here the item of default is being considered by the Bishop of Winchester, who had jurisdiction in such matters in the Liberty of the Clink, Southwark. The "On" is the clerk's entry for "oneratur nisi" ("he is charged unless he can show cause to the contrary"); that is, the sheriff knew no reason why the debt should not be paid. The large "T," perhaps, means "totus" ("the whole") and may be the Sheriff's clerk's marginal notation that the entire sum had been collected. This entry is again in the abbreviated legal Latin of the period. Its connection with the previous three documents is obvious.

F. The Pipe Roll for the following year, 1601, does not contain the name of William Shakespeare as a continued defaulter.

G. The Bishop of Winchester's account of his receipt of money for the year—money which had been referred to him for collection—in Surrey and Sussex totals within 4d. of the entire sum he was to have garnered, and no William Shakespeare appears as a further continued delinquent. It is rational to conclude that since the Bishop collected all but 4d., the "xijjs iiijd" delinquent tax of William Shakespeare had at last been collected.

The subsidy which Shakespeare "defaulted" from 1598 to 1600 was that granted by Parliament in 1597-98. The grant was three subsidies, to be paid over a period of three years. The first pay-

ment was due by October 1598. The rate, in effect during a number of years, was 4s. in the pound on lands and 2s. 8d. in the pound on goods. The evaluations were low, but the rates were high; thus Shakespeare's "goods" were evaluated at £5 (\$200) and his assessed tax was 13s. 4d. (\$26), or about thirteen per cent. In the entire list the highest evaluation was £300 (\$12,000), seven are of £20 (\$800), three are of £30 (\$1,200), and Shakespeare's seems low at £5. Aliens were taxed double if they had goods or land, and poll tax was levied upon them if they had no taxable property. The minimum exemption was £3. Dissatisfied persons might appeal and, under oath, would be re-examined.

This subsidy was strictly a lay tax and, of course, a special one; the clergy, through their own convocation, taxed themselves. In anticipation of any defaulting because of anyone's transferring his residence from one place to another, the Act of Parliament in 1593, for the collecting of that subsidy, provided: "if any person chargeable to this Act at the time of the same assessing happen to be out of his realm and out of Wales, or far from the place where he shall be known, than he to be set [i.e., noted and listed] where he was last abiding in this realm or within Wales." The most logical procedure, then, when Shakespeare, in 1597, was not found in St. Helen's Parish, Bishopsgate, was to determine where his new residence actually was. From the subsequent Pipe Roll records he was traced to the Liberty of the Clink in Southwark, where the Bishop of Winchester at length garnered the remaining uncollected subsidy and Shakespeare's delinquent amount.

The manuscript tax list of St. Helen's Parish, Bishopsgate, is an interesting study. Certain details in addition to those already presented may be mentioned. Local identifications are often used: "knight," "gent," "widdowe," "mayde," "servaunt," "his weife," "his sonne," "the younger," "the elder"; and the sort of evaluation agreed upon, whether on "goods," or on "landes," or "landes and fees," is entered. Charles I. Elton (*William Shakespeare, His Fam-*

| | | |
|---|-------------------|--------------------|
| Joyce his wief ^a e Agnes his serunt | | |
| p[er]poll | xvj ^d | |
| Peter vandesker and his wief ^e | | |
| p[er]poll | xvj ^d | |
| Affid Anne Meredon Augustine de | | |
| Bewbyns mayd | viii ^d | |
| Affid Vincent Meringe & his wief ^e | | |
| p[er]poll | xvj ^d | |
| p sig John Varhagen | vj ^{li} | xxxij ^s |
| Affid his wief ^e p[er]poll | viii ^d | |
| Affid Mary Martin, his mayde p[er]- | | |
| poll | viii ^d | |
| Barbara Lumbo widdow p[er]- | | |
| poll | viii ^d | |
| Affid Mary de Boo widdow p[er]poll | viii ^d | |
| Affid Michael Coosen p[er]poll | viii ^d | |
| Affid Joane and ffrauncis his serunt ^a s | | |
| p[er]poll | xvj ^d | |
| Abraham Grannere p[er]poll | viii ^d | |
| | | |

ily and Friends, pp. 210-20) asserts that one could be taxed either on his lands or on his goods but not on both and that the one taxed decided on which he preferred to be assessed.

There were many evasions and many defaulters. In St. Helen's Parish, the number of taxable persons under this subsidy totals seventy-three, including forty natives and thirty-three "aliens." Now when for any reason the tax could not be collected, the officers prefixed to the left of the name on these reports the abbreviation "Affid"—abbreviation for "affidavit," indicating that the collector had made this special report under oath. (Elton, *op. cit.*, pp. 210-20, is clearly incorrect in declaring that "Affid" was the oath of the person taxed that he was not possessed of so much land or goods.) And of the forty natives, some seven have defaulted, or nearly twenty per cent. Of the thirty-three aliens, some twelve had defaulted, or nearly forty per cent. Among the aliens, French and Flemish names abound: "Meringe," "de Bewly," "de Clarke," "de Boo," "Varhagen," "Vandesker," "Vegleman," and "Vander Stylt." Good old English fam-

ily names appear among the natives: "Spencer," "Taylor," "Childe," "Wells," "Morley," "Lomley," and "Turner." Among the thirty-three aliens, sixteen pay but the conventional poll tax of 8d. Aside from the fact that Shakespeare was assessed £5 on goods and not on lands and that his tax was 13s. 4d., no comment of any sort appears that might throw any light on the immortal bard.

From these documents it appears that the facts concerning William Shakespeare's defaulting or obviating this subsidy are as follows: (1) The Parliament of 39 and 40 Elizabeth, 1597-98 granted three subsidies, the first of which was due about October 1, 1598. (2) On the assumption that the dramatist was a resident of St. Helen's Parish, Bishopsgate, the Commissioners listed his name, his assessed valuation, and the sum due from him and in their indenture, or official report under oath, of October 1, 40 Elizabeth, 1598, indicated by the conventional "Affid" that William Shakespeare had defaulted the 13s. 4d. tax. (3) In the Lord Treasurer's Remembrancer Enrolled Account of Subsidies, No. 56 for 1598-99 for St.

Helen's Parish, Shakespeare is listed among residents of St. Helen's Parish as defaulting. (4) In the Pipe Roll of the Exchequer for October 6, 1599 (a year later), his name is continued in the list of London defaulters but with the

Sussex was. (6) In the Pipe Roll for the next year, 1601, the name of William Shakespeare does not appear as a defaulter. (7) The sum reported as collected by the Bishop is within 4*d.* of the entire amount to be collected; hence it

may not have been a resident there. It suggests, too, that at about the time this levy was first made he moved from St. Helen's, Bishopsgate, to the south bank of the Thames in Surrey. This would account for the several subsequent re-listings of him as a defaulter and for his case being placed in the hands of the Bishop of Winchester. The now well-known writ of attachment (order for arrest, see chapter xxxviii, above) shows definitely that, in that year, Shakespeare was, for a short period at least, at the Swan Theatre in Bankside.

Adams (*Life*, p. 197) observes that, in the Subsidy Roll in which Shakespeare is assessed on goods to the amount of £5, Richard Burbage is assessed on only £3 (\$120), and his brother Cuthbert Burbage, owner of The Theatre and prosperous man of affairs, is rated £4 (\$160). Adams further declares: "That Shakespeare as a householder was assessed more than either of these men indicates that he was living in better circumstances than they, and suggests that he had with him in London his wife, Anne, and his three children, Susanna, Judith, and Hamnet." Yet whatever else the Elizabethan tax and Subsidy Rolls do or do not show, one thing is clear from them: A man's assessed valuation in those documents is no indication whatever as to his living conditions or even as to his actual wealth. In no other extant Subsidy Rolls than the two here discussed—not in Stratford and not in London—is Shakespeare's name listed at all; and yet the bard was a well-to-do man.

Again Adams (*ibid.*, p. 198) suggests that it was the climate of London that prompted Shakespeare to move his family back to Stratford about 1596—Hamnet was buried August 7, 1596—and that this explains his not being found by the collectors of the subsidy of 1597. That Shakespeare's residence in London shifted and that he did move about is obvious; but that he had his chief residence in London is to be questioned. If the facts show anything, they show that Shakespeare considered himself definitely a Stratford-upon-Avon man: every purchase of real estate that he

[DOCUMENT 129]

[LORD TREASURER'S REMEMBRANCER, LISTING WILLIAM SHAKESPEARE AS A DEFAULTER, 1598-99]

. . . . In Warda de Bishopsgate in pa[ro]ch[ia] de Allhal-lows In pa[ro]ch[ia] S[an]c[t]us Petri In pa[ro]ch[ia] s[an]c[t]a helene Rob[er]tu[s] Honiewoode gen[er]o[sus] viij. li. Will[iel]m[us] Shakespeare ib[ide]m xiiij. s. iiij. d. Oswald fitch ib[ide]m liij. s. iiij. d. Joh[ann]em Sockett Jeckett viij. s. Will[iel]m[us] Chirle ib[ide]m w̄ Ploll ib[ide]m xxvj. s. viij. d. Thom[as] morley ib[ide]m xiiij. s. iiij. d. Jaronne martin alien[us] ib[ide]m liij. s. vj. d. Doctor cullimore ib[ide]m xxvj. s. viij. d.,

[DOCUMENT 130]

[PIPE ROLL OF THE EXCHEQUER LISTING WILLIAM SHAKESPEARE AS A DEFAULTER, 1599]

. . . . R[o]b[er]tus honiewood gen[er]osus in pa[ro]ch[ia]
Surr R s[an]c[t]a helen in Ward ibi[dem] viij. li. de eodem sub-
s[idi]o ib[ide]m Will[iel]mu[s] Shakspeare in pa[ro]-
ch[ia] s[an]c[t]a helene in Warda p[re]d[ic]ta d[eb]et
xiiij. s. iiij. d. de eod[em] subs[idi]o ib[ide]m Res[ponde]-
bit in r[ati]o[n]ulo sequen[te] in res[idi]uum Sussex*
[Translation: likewise William Shakespeare, in the
parish of Saint Helen in the ward aforesaid, owes 13 s. 4 d.
of the same subsidy there. He answers in the following roll†
in "residuum Sussex."]

* This last sentence, in the original manuscript, seems to be in a different hand after the fashion of a later inserted additional note.

† That is, for the following year.

marginal note that he was to answer in the following year's Roll for Sussex. (5) In the Pipe Roll of the Exchequer, October 6, 1600, again the dramatist's name appears among those defaulting in Sussex, and now with the marginal note that the item had been referred to the Bishop of Winchester in whose diocese

is reasonably certain that it included the 13*s.* 4*d.* which Shakespeare had defaulted three years before.

The forwarding of Shakespeare's name as a defaulter from St. Helen's in London to Surrey suggests the possibility that at the time when the tax was first levied in St. Helen's he actually

made except the Blackfriars one in 1613 late in life was in or near Stratford; in every legal document in which he is described he is identified as "of Stratford-upon-Avon," never once as "of London." Moreover, it is exceedingly doubtful that of the twenty years the bard spent in the theater he spent a great deal of it in London. For months on end—two whole years in 1592–94—the plague prevented theater activities in London; and E. K. Chambers' *Elizabethan Stage* has abundant evidence that Shakespeare's dramatic company, like others of the period, spent much time in the country provinces. Edgar I. Fripp (*Shakespeare Man and Artist*, 1938, 2 vols.) frequently reiterates that, even during the theatrical season in London, William spent most of the time in Stratford-upon-Avon and there actually, so Fripp holds, the dramatist wrote his plays. Moreover, when he retired, it was to Stratford, and there—not in London, not in Westminster Abbey—he was buried.

The inference that Shakespeare had lived in St. Helen's, Bishopsgate, before October 1596 and that later, possibly by the winter of 1596–97 and certainly by 1599, he had ceased to live there, and that by October 1599 he was a resident in the Clink on the Surrey Bankside is not inconsistent with the statement of Malone. In the latter's *Inquiry into the Authenticity of Certain Miscellaneous Papers* (1796, p. 215), he said: "From a paper [not a Collier forgery as has been suggested: Collier's work came later] now before me, which formerly belonged to Edward Alleyn, the player, our poet appears to have lived in Southwark, near the Bear Garden, in 1596. Another curious document in my possession, which will be produced in the history of his life, affords the strongest presumptive evidence that he continued to reside in Southwark to the year 1608. . . . Nor is there any ground for supposing that he ceased to reside there till he quitted the stage entirely." James Boswell (son of Johnson's Boswell) completed Malone's unfinished "Life" for the *Variorum* of 1821; but, unfortunately for us, no such documents were

printed in that "Life." Accordingly, scholars do not know more of these documents mentioned by Malone. It cannot be asserted confidently that they were any of these that had to do with Shakespeare's defaulting the taxes of 1593 and 1598.

It may be that William Shakespeare knowingly and intentionally defaulted. Or, in view of the fact that dramatic companies were semi-itinerant and each year spent probably more time out in the provinces than in London (see

approached by Richard Quiney for a loan of £30 (\$1,200), a rather large sum in comparison with the small 13s. 4d. for which he was in default. By 1602, he had ample funds, for in that year he made the Getley purchase and also bought 107 acres of land from the Combes for £320 (\$12,000), for which, there being no mortgage on record, he appears to have paid cash. And in 1605 he purchased the lease of the Stratford Tithes for £440 (about \$17,600) for which he must again have paid cash.

[DOCUMENT 131]

[PIPE ROLL OF THE EXCHEQUER LISTING WILLIAM SHAKESPEARE AS A DEFaulTER, 1600]

London R

Onⁱ Ep[iscop]o winton[ensi] T Will[iel]mus Shakspeare in pa-
[ro]ch[ia] s[an]c[ta] helene xiiij.s.
iiij.d. de p[ri]mo integro sub[sidio]
p[re]d[i]c[t]o Anno XXXIX^{no}
concess[o] Qui requir[itur] sup[er]-
eundem ib[ide]m. . . . [Transla-
tion: William Shakespeare, in the
parish of St. Helen, 13s. 4d. of the
first entire subsidy aforesaid granted
in the said 39th year which is re-
quired upon the same there.]

Chambers, *The Elizabethan Stage*), it may be that Shakespeare was not in the metropolis at the time nor for a period long enough for the commissioners to reach him and collect a tax which he would have readily paid. One of the puzzles in Shakespeare's business affairs is that his name appears in no Stratford tax list, in no King's chamber list (Shakespeare was a Groom of the Chamber), and in no other London subsidy list; yet he owned property in both London and Stratford. Research to date throws no light on the matter.

It should be noted that during the very period he is reported as not paying his subsidy he is buying New Place (1597), is "engrossing and forestalling" corn and malt (1598), is reputed as having ready funds (see the Sturley-Quiney correspondence), and (1598) is being

Certainly his defaulting cannot well have been the result of not having funds.

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XLVI

THE THREE PARNASSUS PLAYS, ACTED AT CAMBRIDGE UNIVERSITY, 1597-1601

DURING the period from 1597 to 1601, the students of St. John's College, Cambridge University, wrote and acted three typically student plays of a semi-critical, burlesque sort which throw a degree of light upon the literary and theatrical concerns of the period. These plays were (1) *The Pilgrimage to Parnassus*, (2) *The Returne from Parnassus, Part I*, and (3) *The Returne from Parnassus, Part II*. The third play was published in two editions in 1606, more than four years after it was first acted: a copy of each edition is in the Huntington Library and another in the Bodleian. The two editions exhibit ver-

bal variations sufficient to show that one is not merely a reprint of the other. The first edition, a quarto, collates A-H⁴ = 32 leaves; the second edition, a quarto, collates A-H⁴, I² = 34 leaves. The title page of each is 7⁵/₁₆ by 5¹/₈ inches, and each was printed by G. Eld for John Wright. The other two plays, *The Pilgrimage to Parnassus* and *The Returne from Parnassus, Part I*, remained in manuscript form until 1886, when W. D. Macray of the Bodleian Library of Oxford made transcripts of them and published them with *The Returne from Parnassus, Part II*. This publication gave to the public, for the first time in printed form, the three plays as a trilogy. The

first (written in three days) of this trilogy was acted in December 1597; the third of the plays was acted at St. John's, Cambridge, Christmas weeks of 1598-99, 1599-1600, and 1601-2.

The first two of these plays, *The Pilgrimage to Parnassus* and *The Returne from Parnassus, Part I*, are Rawlinson MSS D. 398 in the Bodleian Library. They were once in a miscellany volume of the collector, Thomas Hearne. The manuscripts consist of twenty folio leaves—besides one outside leaf—and are evidently not the original Cambridge students' manuscripts but rather copies made by some anonymous copyist. This copyist was, at times, either unable to decipher his source or else too careless to set it down accurately. The stage directions were written in red ink, now faded and pale. The outside leaf, on the recto, has the name "Edmunde Rishiton, Lancastrensis." Since the Cambridge registers do not record farther back than 1634, this person's connection with Cambridge as a student, or otherwise, cannot be determined. The copyist's tendency to omit the final *e* in *-ce* endings—"onc," "henc," "fenc,"—has been

[DOCUMENT 132]

[COMMENTS ON SHAKESPEARE IN *THE RETURNE FROM
PARNASSUS, PART I*, 1599 (?)]

Gull. Pardon, faire lady, thoughe sicke-thoughted Gullio maks
amaine unto thee, and like a bould-faced sutore 'gins to woo thee.*

[Continued on p. 272]

* Sick-thoughted Venus makes amaine unto him,
And like a bold-faced suitor 'gins to woo him.

—*Venus and Adonis*, stanza 1

taken to suggest his provincial origin, probably in the north. The first of these plays contains 733 lines, the second 1,597 lines, and the third (Folger MS) 2,245 lines.

The manuscript of the third of this trilogy of plays, *The Returne from Parnassus, Part II*, once in the possession of Halliwell-Phillipps, is now in the Folger Shakespeare Library. It has the distinctive title, "the Progresse to Parnassus." It is a small volume bound in a parchment cover. While it bears no trace of its authorship, it is written in excellent contemporary Elizabethan script. Obviously this is not the original manuscript play but, rather, a copy of the original. This manuscript also appears, according to Halliwell-Phillipps, to have come out of a library from the north.

It is noteworthy that when this play was published in 1606, the title page contained the subtitle "or The Scourge of Simony." This may suggest something of the spirit of the product. The complete 1606 title page read:

THE / RETVRNE FROM / PERNAS-
SVS: / Or / The Scourge of Simony. /
Publicquely acted by the Students / in Saint
John's Colledge in / Cambridge. / [Orna-
ment] / AT LONDON / Printed by
G. Eld, for *Iohn Wright*, and / are to bee
sold at his shop at / Christ church Gate. /
1606.

These three plays appear to be "Christmas toys," or student plays written and acted in the spirit of revel and fun-making formerly incident to the Christmas season. They exemplify the spirit of Cambridge University life and the struggles and the tastes of scholars in that University—wit, fun, burlesque, satire, caricature, all portrayed with the freshness of youthful students. Tapster, carrier, churchwarden, actor, poet, pedant—none have escaped. The whole was freshly amusing, bantering, rollicking. It contains the usual coarse phrasing but not the rude, vulgar ranting often found in such products. It is in this spirit that one should interpret the passages in it which deal with William Shakespeare. They must not be interpreted as unstinted praise of the great poet at the ex-

Ingen. (We shall have nothinge but pure Shakspeare and shreds of poetrie that he hath gathered at the theators!)

Gull. Pardon mee, moy mittressa, ast am a gentleman, the moone in comparison of thy bright hue a meere slutt, Anthonie's Cleopatra a blacke browde milkmaide, Hellen a dowdie.

Ingen. (Marke, Romeo and Juliet! O monstrous theft! I thinke he will runn throughe a whole booke of Samuell Daniell's!)

Gull. Thrise fairer than myselfe (—thus I began—)

The gods faire riches, sweete above compare,
Staine to all nimphes, [m]ore lovely the[n] a man,
More white and red than doves and roses are!
Nature that made thee with herselfe had strife,
Saith that the worlde hath ending with thy life.

Ingen. Sweete Mr. Shakspeare!

Ingen. My pen is youre bounden vassall to commande. But what wayne woulde it please you to have them in?

Gull. Not in a vaine veine (prettie, i'faith!): make mee them in two or three divers vayns, in Chaucer's, Gower's and Spencer's and Mr. Shakspeare's. Marry, I thinke I shall entertaine those verses which run like these;

Even as the sunn with purple coloured face
Had tane his laste leave on the weeping morne, &c.
O sweet Mr. Shakspeare! I'le have his picture in my study at the courte.

Gull. Tush! Chaucer is a foole, and you are another for defendinge of him.

Ingen. Then you shall heare Spencers veyne.

A gentle pen rides prickinge on the plaine,
This paper plaine, to resalute my love.

Gull. Stay, man! thou haste a very lecherous witt; what wordes are these? Though thou comes somewhat neare my meaninge yet it doth not become my gentle witt to sett it downe soe plainlye. Youe schollers are simple felowes, men that never came where ladies growe; I that have spent my life amonge them knowes best what becometh my pen and there ladishippes ears. Let mee heare Mr. Shakspear's veyne.

Ingen. Faire Venus, queene of beutie and of love,
Thy red doth stayne the blushing of the morne,
Thy snowie necke shameth the milkwhite dove,
Thy presence doth this naked worlde adorne;
Gazinge on thee all other nymphes I scorne.
When ere thou dyest slowe shine that Satterday,
Beutie and grace muste sleepe with thee for aye!

Gull. Noe more! I am one that can judge accordinge to the proverbe, *bovem ex unguibus*. Ey marry, Sir, these have some life in them!

Let this duncified worlde esteeme of Spencer and Chaucer, I'll wor-
shipp sweet Mr. Shakspeare, and to honoure him will lay his Venus
and Adonis under my pillowe, as wee reade of one (I doe not well
remember his name, but I am sure he was a kinge) slept with Homer
under his bed's heade.

[COMMENTS ON SHAKESPEARE IN *THE RETURNE FROM
PERNASSUS, PART II, 1601 (?)*]

Ing. Christopher Marlowe.

Ind. Marlowe was happy in his buskind muse,
Alas vnhappy in his life and end.
Pitty it is that wit so ill should dwell,
Wit lent from heauen, but vices sent from hell.

Ing. Our Theater hath lost, Pluto hath got,
A Tragick penman for a driery plot.

Beniamin Iohnson.

Ind. The wittiest fellow of a Bricklayer in England.

Ing. A meere Emperick, one that getts what he hath by observa-
tion, and makes onely nature priuy to what he indites. so slow an
Inuentor that he were better betake himselfe to his old trade of Brick-
laying, a bould whorson, as confident now in making a booke, as he
was in times past in laying of a brick.

William Shakespeare.

Ind. Who loues [not Adons loue, or Lucrece rape?]
His sweeter verse contaynes hart [throbbing line],
Could but a grauer subiect him content,
Without loues foolish lazy languishment.

Kemp. Few of the vniuersity [men] pen plaies well, they smell
too much of that writer Ouid, and that writer Metamorphosis, and
talke too much of Proserpina & Iuppiter. Why heres our fellow Shake-
speare puts them all downe, I and Ben Iohnson too. O that Ben Iohnson
is a pestilent fellow, he brought vp Horace giuing the Poets a pill, but
our fellow Shakespeare hath giuen him a purge that made him beray
his credit:

Bur. Its a shrewd fellow indeed: I wonder these schollers stay so
long, they appointed to be here presently that we might try them: oh
here they come.

Bur. I like your face, and the proportion of your body for Richard
the 3. I pray M. Phil. let me see you act a little of it.

Phil. Now is the winter of our discontent,
Made glorious summer by the sonne of Yorke.

pense of his contemporaries. He, too, has a share of fun poked at him. One must not take too seriously J. B. Mullinger's comment (*University of Cambridge*, II [1884], 524, note) that the notices in the third play, *The Returne from Parnassus*, "convey the notion that Shakespeare is the favourite of the rude half-educated strolling players, as distinguished from the refined geniuses of the University." One thing is clear, and that is that the students of Cambridge were familiar with the work of contemporary dramatists, poets, and actors. Whether or not he was actually popular with the Cambridge folk, it is certain that they knew rather intimately the poetic work of William Shakespeare. The students' familiarity with *Venus and Adonis* is obvious. Their humorous thrusts at Ben Jonson were much in point at the time.

The comments themselves are intriguing. The second and third plays of the trilogy are the ones containing the comments.

A. First are passages in *The Returne from Parnassus, Part I*, (1599 [?]), iii, i, 1006-24, 1048-55; iv, i, 1200-27, here given as the first part of Document 132. (The alignment is that of Macray's edition.)

B. Second are those passages from *The Returne from Parnassus, Part II*, (1601 [?]), i, ii, 298-308; iv, iii, 1806-16, 1875-79, here given as the second part of Document 132.

These excerpts from *The Returne from Parnassus, Part I*, and *The Returne from Parnassus, Part II*, are something more than casually reminiscent of Shakespeare's poetry. Their pointed details of local allusion and their generous quoting from his poems and plays are indicative that by 1597 the work of William Shakespeare—both poems and plays—were rather intimately familiar to the students at Cambridge University.

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XLVII

SHAKESPEARE AS AN ACTOR, 1598

SOMETIME during the year 1598, a new play, *Every Man in His Humor*, by Ben Jonson, was produced. Ben Jonson was the first English dramatist to publish (1616) a Folio of his own "works." The note there affixed to *Every Man in His Humor* is here given as Document 133.

Rowe's "Life" (1709) recorded an anecdote to the effect that it was Shakespeare's own influence that reversed the decision of the Lord Chamberlain's Men to reject Jonson's *Every Man in His Humor*. This may account for Jonson's placing "Will. Shakespeare" at the head of the list of his principal actors, though "Ric. Burbadge" at the head of the second column shares honors with him. Burbage, of course, was an actor far superior to Shakespeare. Shakespeare was a dramatist of high repute in 1616; but he had retired from the active stage nearly ten years before. On the other hand, Burbage was a tragic and not a comic actor: this fact may have determined Jonson's order of preference between an actor who was also a great dramatist and a great tragedian. Yet Kempe was the noted comedian of the time, and his name is far down in the list. Perhaps Jonson was merely listing the members of the Lord Chamberlain's Men as an organization and gave recognition to Shakespeare and to Burbage because one was the Company's chief dramatist and the other its chief actor.

In Jonson's note to *Every Man Out of His Humor* (1599), a comedy, Shakespeare's name is not listed at all, and "Ric. Burbadge" heads the list. In Jonson's note to the text of *Sejanus* (written 1603, but not published until 1616 in the Folio edition of Jonson's *Workes*), a

cause of his histrionic ability. Again, the consideration appears to be literary rather than histrionic; in Elizabethan days, literary values ranked higher than those of acting, and the pure poet was rated higher than the skilled playwright. Thus though not a single contemporary

[DOCUMENT 133]

[SHAKESPEARE MENTIONED IN JONSON'S FOLIO OF 1616 AS AN ACTOR IN *EVERY MAN IN HIS HUMOR* IN 1598]

This Comodie was first Acted, in the yeere 1598. By the then L. Chamberlayne his Seruants. The principall Comoedians were.

WILL. SHAKESPEARE.
 AUG. PHILIPS.
 HEN. CONDEL.
 WILL. SLYE.
 WILL. KEMPE.

RIC. BURBADGE.
 IOH. HEMINGS.
 THO. POPE.
 CHR. BEESTON.
 IOH. DUKE.

tragedy, "Ric. Burbadge" heads the first list of names and "Will. Shake-Speare" heads the second list of names. Shakespeare is not listed among the actors of *Volpone*, *The Alchemist*, and *Catiline*. Because Jonson did not list him in plays after the *Sejanus* of 1603, some scholars have concluded that he gave up acting after 1603. The inference may be correct. In the 1623 First Folio, "The Names of the Principall Actors in all these Playes" is headed by William Shakespeare, and Richard Burbage's name stands second. Certainly this priority was not accorded Shakespeare be-

interpretative comment is extant relative to Shakespeare's acting, there are a good many concerning him as a poet.

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XLVIII

THE QUARTO EDITIONS OF *HENRY IV*, 1598, 1600

THE FIRST part of Shakespeare's *Henry IV*, obviously very popular as a play, appeared in a quarto edition in 1598; and the second part appeared in a similar quarto in 1600. Together with the first quarto edition of Part II and a curious manuscript adaptation of Parts I and II for private theatricals early in the seventeenth century it is of documentary importance in connection with William Shakespeare.

Henrie Hotspur of the North," and (3) "the humorous conceits of Sir Iohn Falstaffe," all in addition to the name of the king, are attractively listed. It should be kept in mind that to the Elizabethans "humorous" (from one of the four humors in the body) meant "temperament," "disposition," or even "head-strong tendency"; and "conceit" meant "conception," "imagination," or "strong belief." As a man so characterized, Falstaff was an interesting character

is in the Folger Shakespeare Library. J. O. Halliwell-Phillipps (*Calendar of Shakespearean Rarities*, No. 19) declares that its "How the fat [other editions omit "fat"] rogue roar'd!" is the correct form of Poins's speech. Halliwell-Phillipps asserts: "There can be little doubt but that they [the 4 leaves of signature C] are a portion of the first and hitherto unknown edition of the First Part of Henry 4th, published by Wise early in the year 1598." Then he adds: "These leaves were found at Bristol some years ago in the binding of Thomas' *Rules of the Italian Grammar*, Quarto, 1567, J. O. Halliwell-Phillipps May 25th, 1867." Virtually the only critical value of this fragment is that expressed by Halliwell-Phillipps; that is, in the absence of any title page, there can be no certainty as to the date of the issue of which this is a fragment: it may be an emendation ["fat"] of some one of the other properly identified versions; or it may be a canceled proof of the actual 1598 first quarto. The headline of this fragment reads "The hystorie of Henry the fourth," whereas that of the identified 1598 Quarto 1 reads "historic," a fact which by some scholars following Halliwell-Phillipps has been taken as conclusive evidence that this fragment in an unknown, earlier, and independent 1598 quarto. Others hold it to be a variant reading of the actually known 1598 first quarto.

[DOCUMENT 134]

[TITLE PAGE OF QUARTO 1 OF 1 *HENRY IV*, 1598]

THE / HISTORY OF / HENRIE THE / FOVRTH; / With the
battell at Shrewsburie, / *betweene the King and Lord* / Henry Percy,
surnamed / Henrie Hotspur of / the North. / *With the humorous*
conceits of Sir / Iohn Falstaffe. / [Peter Short's printer's device]* /
AT LONDON, / Printed by P[eter] S[hort] for *Andrew Wise*,
dwelling / in Paules Churchyard, at the signe of / the Angell. 1598.

* See R. B. McKerrow's *Printers' and Publishers' Devices*, 1913, No. 278.

A. The 1598 first quarto is in signatures A-K⁴, making a total of forty leaves. Copies are rare, only four being known: one in the British Museum (imperfect, lacking signatures E⁴ and K⁴), one in Trinity College (Cambridge), one at Huntington Library (Devonshire copy), and one in the Folger Shakespeare Library. From the Huntington copy the head lines have been partly clipped in trimming. From this Huntington copy the title page, here Document 134, and other details are provided.

This title page, with its iteration and emphasis on the story content of the play, was a publisher's device in that its appeal was obviously to a reading and theater-going public: (1) the "battell of Shrewsburie," (2) "Percy, surnamed

both on the public stage and in the pages of a book. Neither in the first quarto nor in subsequent quartos are there act and scene divisions; these appear first in the First Folio.

B. The Register of the Stationers' Company has entries concerning 1 *Henry IV*, here given as Documents 135 and 136.

The subsequent quarto editions of the popular 1 *Henry IV* are fairly easy of identification. From lists garnered by Lee, Bartlett, Jaggard, Pollard, and others, and firsthand examination of originals, the following list is given:

[?] Quarto ? The only copy, and hence unique, of this issue is an undescribed edition of which only a fragment remains. This fragment, consisting of four leaves of signature C,

1598

Quarto 1 This is the first edition that can, with certainty, be described. Peter Short for Andrew Wise. The author's name is not on the title page. Copies are in British Museum (imperfect, lacking signatures E⁴ and K⁴), Trinity College (Cambridge), Huntington, and Folger Shakespeare libraries. Halliwell-Phillipps reproduced this issue in 1861. None of the early quartos before the First

Folio are divided into Acts and Scenes. Quarto 1 is the authority for the text of the subsequent quartos and of the First Folio from which, with more than common thoroughness, profanity was excised. Each subsequent quarto is based on the immediately previous one.

1599 *Quarto 2* Simon Stafford for Andrew Wise. Shakespeare's name appeared on the title page: "Newly corrected by W. Shakespeare." Of some ten copies, one each is at the British Museum, the Bodleian, Trinity College (Cambridge), and Huntington Library (Devonshire). No additions and no corrections of any consequence justify the statement that it was "newly corrected"; this was but the conventional lure of the bookseller. The phrase was repeated on each subsequent title page, but no corrections of consequence appeared.

1604 *Quarto 3* Valentine Simmes for Mathew Law. Each of the three copies known in England is imperfect: Bodleian (lacks leaf C¹); Trinity College (Cambridge); and Crichton Stuart. A copy is also in the Huntington Library. Quarto 3 was based on Quarto 2, which, in turn, had been based on Quarto 1.

1608 *Quarto 4* For Mathew Law. Of eight known copies, one each is in the British Museum, the Bodleian, the Huntington (Devonshire), and the Folger Shakespeare Library (Warwick). Quarto 4 was based on Quarto 3.

1613 *Quarto 5* W[illiam] W[hite] for Mathew Law. There were three Elizabethan printers whose initials were "W. W.": William Welby, William White, and William Wright, Jr. Of ten known copies, one each is in the British Museum (Steevens), the Bodleian, the Trinity College (Cambridge), the New York Public Library, and Huntington Library. This 1613 quarto supplied some of the text for the 1623 First Folio version. Quarto 5 was based on Quarto 4.

1622 *Quarto 6* Thomas Purfoot for Mathew Law. "By William Shakespeare." Of some dozen copies known, one each is in the British Museum, the Bodleian, Boston Pub-

lic Library, the Trinity College (Cambridge), the Huntington, and the Folger Shakespeare Library. Quarto 6 was based on Quarto 5 and was not directly the basis of the text for the First Folio text, which was based primarily on Quarto 1 even to the normal stage directions which are preserved.

Other quartos were: (1) 1632, a seventh quarto reprint virtually verbatim of the 1622 sixth quarto. (2) 1639, an eighth quarto reprint, line for line, of the 1632 issue; eleven copies are extant. (3) 1700, a ninth quarto abridgment by

The title page here given as Document 137 and further items are from the Huntington Library copy.

The Huntington copy, except that its headlines have suffered from the mounter's knife, is virtually perfect. E. W. Ashbee and J. O. Halliwell-Phillipps reproduced this quarto in 1866. It is to be noted that on this first-quarto title page the author is very definitely indicated: "*Written by William Shakespeare.*" This quarto is further distinguished by the fact that it was printed for two booksellers, Andrew Wise and William Aspley. This title page, a publisher's rather

[DOCUMENT 135]

[STATIONERS' REGISTER ENTRY CONCERNING 1 *HENRY IV*, 1598]*

[1597-98] xxv^{to} die ffebruarij

Andrew Wyse./. Entred for his Copie vnder th[e] handes of Master Dix: and master Warden man a booke intituled *The historye of Henry the IIIth with his battaile of Shrewsburye against Henry Hottspurre of the Northe with the conceited mirthe of Sir John Ffalstoff* vjd./.

* Arber, *Transcript*, III, 105.

Thomas Betterton, the noted Shakespearean actor; twenty copies are known. Huntington Library has copies of each of these 1632, 1639, and 1700 quartos.

C. As for the publication of 2 *Henry IV*, the first quarto edition is in signatures A-K⁴ + L², making a total of forty-two unpagged leaves, the last of which is blank. Of the ten known copies, one each is in the British Museum, the Bodleian, the Trinity College (Cambridge), and the Huntington Library (Devonshire copy). This appears to have been the only separate edition of 2 *Henry IV*. Through carelessness or otherwise, the printer of this quarto had omitted Act III, scene i, whereupon the last two leaves of Signature E were canceled and two additional leaves were printed to include the text originally omitted. Hence it is that some copies have four leaves in Signature E while other copies have six.¹

than a mere printer's, lists the contents of the play and emphasizes the "humours" of both "Sir Iohn Falstaffe" and "swaggering Pistoll."

The Register of the Stationers' Company has the entry for 2 *Henry IV*, here given as Document 138.

It is to be noted that this is the very first entry, in connection with any one of the quartos of Shakespeare's plays, in the Stationers' Register which specifically mentions William Shakespeare as the author. Commonly the first quartos of Shakespeare, like books by other authors quite generally in that day, did not have his name on the title page; the later quartos did, perhaps because he had come to be popular and the use of his

¹ The best critical analysis as to this typographical juggling is that of A. W. Pollard in "The Variant Settings in II *Henry IV* and Their Spellings," *The Times* (London) *Literary Supplement*, October 21, 1920, p. 680. Likewise Herbert A. Evans, in his "Forewards," p. ix, to the William Griggs facsimile (n.d.) of the 1600 quarto of 2 *Henry IV*, gives some details.

name on a title page would induce people to buy the volume.

The First Quarto and the First Folio texts of 2 *Henry IV*, while substantially the same, show a degree of variation in details. The Quarto has some forty lines not in the Folio, whereas the Folio has 168 lines not in the Quarto (i, i, 166-79, 189-209; i, iii, 21-24, 36-55, 85-108; ii, iii, 23-45; iv, i, 55-79, 103-39). The many minor textual variations cannot be tabulated here: printer's slips and slight attempts at emendations as well as some

be a printer's error and not evidence of the author's hand as suggested by Chambers. The manuscript used for Quarto 1 may have been the actual prompt copy, for (v, iv, 1) the name of the actor Sincklo appears for the Beadle, whose role Sincklo played. Professor L. L. Schücking's "The Quarto of King Henry IV, Part II" (*The Times* [London] *Literary Supplement*, September 25, 1930, p. 752) deals critically with additional curious problems in 2 *Henry IV*; he cites evidence which suggests that "cuts"

which ends with the phrase, "with the conceipted mirthe of Sir John ffalstoff." Unwittingly, Shakespeare had taken over the name of Sir John Oldcastle from the anonymous play *The Famous Victories of Henry the Fifth* (acted as early as 1594 and printed in 1598), which appears to be the source of the comic plot in *Henry IV*. Despite revisions and changes, in Part I traces of the old name remain (i, ii, 47) in the jesting address, "my old lad of the Castle," which otherwise is pointless. In the Quarto (1600) Part II, "Old" still remains for "Fal" in a speech prefix to i, ii, 137. Shakespeare took special pains to allay misgivings as to his intent, for in the Epilogue which closes Part II he definitely insists, "for Oldcastle died a martyr, and this is not the man." Yet it cannot be definitely proved that the reason for Shakespeare's changing the name was the fact that Sir John Oldcastle married an ancestress of the Lords Cobham, who were, at the time, prominent at the Court of Elizabeth. Notwithstanding the change, the name "Oldcastle" long remained the popular designation of the great comic character.

D. Folger MS 3.2 of "[T]he [H]istory [o]f [K]ing [H]enry [t]he [ff]ourth" was secured by Mr. Folger as a part of the Warwick Castle Shakespeare Library. It consists, in the main, of fifty-five unnumbered folio pages, paper, approximately 7¾ by 11¾ inches. It is unstitched and unbound but is in a state of perfect preservation. On the verso of an additional folio appended to the beginning of this manuscript appears (in script that is not the same as that of the play itself) a list of the actors and of the characters in Fletcher's *The Spanish Curate*. Below this list, on the same verso page, is the following printed note:

1035 SHAKESPEARE.—Play of King Henry the Fourth, 2 parts Condensed into 1.

A contemporary and unique Manuscript, being the only one known to exist of any of the productions by the "Sweet Bard of Avon"

The note is presumed to be in the autograph of Sir Edward Dering of Surren-

[DOCUMENT 136]

[STATIONERS' REGISTER ENTRY CONCERNING 1 *HENRY IV*, 1603]*

[1603] 25 Junij

Mathew Lawe Entred for his copies in full courte Holden this Day.
These ffyve copies folowinge ij^s vjd

viz

The Third of *Henry the 4. the firste part.* all
kinges.

all whiche by consent of the Company are sett
ouer to him from Andrew Wyse

* Arber, *Transcript*, III, 239.

small omissions are obvious. Chambers (*William Shakespeare*, I, 380) is correct in pointing out that censorship of profanity in the Folio text of Part II has been extended to passages of indelicacy (ii, i, 126-27; ii, ii, 26-30; ii, iv, 159-62; iii, ii, 337-39, 340-43) and seemingly in one instance (i, ii, 240-47) to a passage of antipatriotic criticism. The Folio stage directions and speech prefixes manifest careful revision.

The Folio text seemingly follows a theatrical manuscript which may have been the basis for Quarto 1. Evidence of revision is seen in the first line of the Quarto, where Lord Bardolf replaced Sir John Umperville; but the historical correction thus contrived is not fully carried out. "Scilens" for "Silence" may

in the play resulted from their being too pointed in a time of delicacy and strain in matters political.

Two things are clear concerning the names Sir John Oldcastle and Sir John Falstaff: first, in using the name Sir John Oldcastle, William Shakespeare did so innocently and did not intend any reference to, or offense to, that notable gentleman; and, second, suspecting that offense had been taken, or at least might be taken, he very promptly changed the name to Sir John Falstaff. In the original two parts of *Henry IV*, "Sir John Old Castle" was the designation of the fat knight. That it was changed to "Sir John Falstaff" before February 25, 1598, is evidenced by the entry for Part I in the Register of the Stationers' Company,

den, in the County of Kent, who died in 1644. The play is supposed to have been transcribed from some other manuscript (as no printed copy is known to contain the various corrections and alterations therein) for the purposes of private representation, it being well known that theatricals formed a portion of the amusements in vogue at that Baronet's country seat during the early portion of the reign of King James I.

The manuscript was discovered in October 1844 by the Rev. Mr. Larking of Ryarsh among the charters and papers of Baronet Dering at Surrenden. It has passed under the review of J. O. Halliwell-Phillipps, who in 1845 issued a copy of it under the title *Shakespeare's Play King Henry the Fourth* (Shakespeare Society), and of other distinguished members of the Shakespeare Society, all of whom decided that the handwriting is clearly that of the period of James I, Mr. Halliwell-Phillipps remarking that "it is unquestionably a volume of great curiosity in the absence of any other of a similar kind."

In his "Introduction" (p. ix) to his 1845 printing of this Dering manuscript, J. O. Halliwell-Phillipps asserted: "A manuscript copy the Merry Wives of Windsor, written during the time of the Commonwealth, is in the possession of the editor of this volume and had been for some time considered the earliest in existence."

Of the fewer than a dozen extant contemporary original manuscripts of Elizabethan plays at present known, none is definitely known to be in Shakespeare's hand.² Nor is there a known contem-

porary original manuscript or any one of Shakespeare's plays in any other contemporary author's hand. The few extant manuscript copies of Elizabethan plays have been collected, critically edited, and issued by W. W. Greg in his scholarly *Dramatic Documents from the Elizabethan Playhouses* (2 vols.: one of text and criticism and one of full-size facsimiles; 1931).

From the "Introduction" to Halliwell-Phillipps' edition of this manuscript (1845) and from an examination of the manuscript, now in the Folger Shakespeare Library, the following details were gathered: The manuscript does not

materials from Quarto 5 of Part I (1613) and from Quarto 1 of Part II (1600), confirming S. B. Hemingway's investigations in the Yale Shakespeare. A marginal script, "Vide printed booke," shows that comparison was made with or the copy made from a printed text. The interlineations and emendations, however, were probably not taken from any printed copy, because no printed edition contains such changes in the text. They were probably made as a part of the preparation for the performance of the play at one of the private theatricals which flourished at the home of Sir Edward Dering. The list of *dramatis per-*

[DOCUMENT 137]

[TITLE PAGE OF QUARTO 1 OF 2 HENRY IV, 1600]

THE / Second part of Henrie / the fourth, continuing to his death, /
and coronation of Henrie / the fift. / With the humours of Sir Iohn
Fal / staffe, and swaggering / Pistoll. As it hath been sundrie times
publikely / acted by the right honourable, the Lord / Chamberlaine
his seruants. / Written by William Shakespeare. / [Ornament] /
LONDON / Printed by V[alentine] S[immes] for Andrew Wise,
and / William Aspley. / 1600.

contain all of Part I and Part II of *Henry IV*, but a play condensed from the two parts. Acts I, II, III, and IV (the first eight scenes) are taken from Part I, and Act IV, scenes ix and x, and Act V are taken from Part II of the original plays. Critical collation of the quarto editions with the text of the manuscript makes it apparent that the transcriber secured his

sonae for *The Spanish Curate* appended to the manuscript contains Sir Edward's name and the names of other persons of family distinction. The care taken in stage directions, entrances, and exits indicates that the manuscript was intended for private presentation.

This manuscript, a part of the materials in the collection of Sir Edward Dering (1598-1644) of Surrenden in Kent, was thus quite certainly prepared early in the seventeenth century by the first baronet of the family. Although the manuscript is not dated, other factors permit one to date the compilation of the manuscript between 1613 and 1630. Halliwell-Phillipps and others examined the document, and the former concluded that the watermarks belong to the latter part of the reign of Elizabeth; other "criteria exist in the form of the characters, in the paper, in the spelling, and even in the colour of the ink." Since the first three acts and part of the fourth act of the play contained in the manuscript

Booke of Sir Thomas More (1927); "More about *The Booke of Sir Thomas Moore*," *Publications of the Modern Language Association* (XLIV, September 1928, pp. 767-78); *Shakspeare and "Sir Thomas Moore"* (1929); and "An Object Lesson in Shakspearian Research," *Shakspeare Studies* (1931). Other critical volumes presenting evidence supporting the several actual hands in this manuscript—some accord it directly to William Shakespeare—are: George Greenwood's *The Shakspeare Signatures and "Sir Thomas More"* (1924) and *Shakspeare's Handwriting* (1920); Sir Edward Maunde Thompson's *Shakspeare's Handwriting* (1916) and "The Handwriting of the Three Pages Attributed to Shakspeare Compared with His Signatures" in the Pollard-Thompson-Greg-Wilson-Chambers volume entitled *Shakspeare's Hand in "The Play of Sir Thomas More"* (1923, pp. 57-112). W. W. Greg's *Dramatic Documents from the Elizabethan Playhouses* (1931, I, 224-25) and its accompanying volume of facsimiles deal with the manuscript of *The Booke of Sir Thomas More*.

² Some scholars believe that a portion of the manuscript of the play *The Booke of Sir Thomas More* (of about 1593) is in Shakespeare's hand. The manuscript, discovered on October 23, 1844, is now Harleian MS 7368 in the British Museum. Rev. Richard Simpson (*4 Notes and Queries*, VIII [1871], 1-3) was the first to advance the idea that this manuscript was a Shakespeare holograph. W. W. Greg, in the edition of the play put out by the Malone Society, ascribed the several hands in the play to A, B, C, D, E, and S [Shakespeare]. The supposed Shakespeare part is a total of 147 lines on three pages of the manuscript, folios 8^a, 8^b, and 9^a.

A detailed analysis (presenting evidence that the handwriting of this manuscript is not the hand of the Shakespeare signatures) is to be found in Samuel A. Tannenbaum's *Problems in Shakspeare's Penmanship*, 1927 (chap. x). Mr. Tannenbaum's further critical studies in defense of his thesis are: *The*

were copied from a quarto not printed until 1613, that year is established as the earliest possible date. Furthermore, the part of the manuscript containing a list of the *dramatis personae* of *The Spanish Curate* mentions "Sir Tho. Wotton," and "Sir Edw. Dering" as taking part in the play. Consequently, this part of the manuscript must have been prepared between 1626, the date when Dering was created a baronet, and 1630, the date of Wotton's death. The entire manuscript may not have been prepared at this date, because the list of *dramatis personae* is in a different hand and may be an addition; but we can date the en-

MS. is evidently the work of a person not very conversant with the subject-matter of his labours; the absurd punctuation and many errors are sufficient to show this, and that in all probability he was a mere copyist from some printed book or MS placed before him. This copy has been corrected in many places by a later hand, which has been distinctly ascertained, by a careful comparison made by Mr. Larking, to have been the work of Sir Edward Deryng, the first Baronet, who died in 1644."

The title of the play, at the top of folio 1^r, shows, by omission of the initial letter of each word, that perhaps origi-

a contemporary manuscript of one of Shakespeare's plays the text may give some clue concerning the manner in which plays were then customarily adopted for presentation.

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- E. W. ASHBEE, *First Part of Shakespeare's Henry the Fourth*, . . . , 1599, 1861
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[DOCUMENT 138]

[STATIONERS' REGISTER ENTRY CONCERNING 2 HENRY IV, 1600]*

[1600] 23 Augusti

Andrewe Wyse Entred for their copies vnder the handes of the
 William Aspley wardens Two bookes. and one called *Muche a Doo* about nothinge. Th[e] other *the second parte of the history of kinge henry the IIIth with the humours of Sir John ffalstaff: Wrytten by master Shakespere* xij^d

* Arber, *Transcript*, III, 170.

tire document between 1613 and 1630 with some degree of certainty.

There are some six different hands in the manuscript: (1) the body of the manuscript proper; (2) folio 1^r; (3) the "Deryng addition";² (4) the list of *dramatis personae* and the actors for Fletcher's *The Spanish Curate*; (5) the emendations, interlineations, and stage directions (added mostly in the earlier part of the document, and on the last page); and (6) the act and scene divisions in faded red ink. The main transcriber is not identified, but a little can be learned about him from the document itself. As Halliwell-Phillipps states (1845 Introduction): "The body of the

nally rubric letters were to be inserted; in fact, these letters were seemingly once written in but now have faded out. The act and scene divisions, in a handwriting differing from any other hand in the manuscript, are in italics, in faded red ink, and were not originally a part of the transcript, as evidenced by their improper placing and their sometimes being indicated between two lines, as in folio 6. The names of the characters and the words "Exit" and "Enter" are in Italian script, the rest of the manuscript being in Gothic script. The stage directions are in italics. The punctuation is both inaccurate and inadequate. At the bottom right, on each page, is the catchword for the next page. The manuscript is clean, clear, legible, in excellent condition throughout, and no lining of any sort is used either for the lines or for page margins. Its importance lies in the fact that as the closest thing we have to

² Since Halliwell-Phillipps edited this manuscript, it has usually been assumed that Dering wrote part of it. Halliwell-Phillipps reproduced samples of Dering's handwriting and portions of the manuscript in his introduction. Anyone wishing to compare these will also be interested in Dering's manuscript copy of "Armorial Bearings and Pedigrees," Folger MS 490.1.

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- JAMES GAIRDNER, "On the Historical Elements in Shakespeare's Falstaff," *Fortnightly Review*, XIII, n.s. (1873), 333-44
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- F. SOLLY-FLOOD, "The Story of Prince Henry of Monmouth and Chief-Justice Gascoign," *Royal Historical Society Transactions*, 2d ser., III (1886), 47-152
- G. SARRAZIN, "Falstaff, Pistol, Nym ihre Urbiler," *Kleine Shakespeare Studies*, 1902; "Nym und Ben Jonson," *Shakespeare Jahrbuch*, XL (1904), 212-22
- F. W. MOORMAN, "Shakespeare's History Plays and Daniel's *Civile Wars*," *Shakespeare Jahrbuch*, XL (1904), 69-83
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- ALFRED W. POLLARD, *Shakespeare Folios and Quartos*, 1909
- L. W. VERNON HARCOURT, "The Two Sir John Fastolfs," *3 Royal Historical Society Transactions*, IV (1910), 50-62
- C. L. KINGSFORD, *The First English Life of Henry V*, 1911
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- JAMES MONAGHAN, "Falstaff and His Forebears," *Studies in Philology*, XVIII (1921), 353-56
- HENRIETTA C. BARTLETT, *Mr. William Shakespeare*, 1923; see Nos. 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, for title pages of each quarto and for important bibliographical details
- A. E. MORGAN, *Some Problems of Shakespeare's "Henry the Fourth"*, 1924
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- ROBERT A. LAW, "Structural Unity in the Two Parts of *Henry the Fourth*," *Studies in Philology*, XXIV (1927), 223-42
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- L. L. SCHÜCKING, "The Quarto of *King Henry IV, Part II*," *The Times* (London) *Literary Supplement*, September 25, 1930, p. 752
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XLIX

WILLIAM SHAKESPEARE LISTED AS ILLEGALLY HOARDING GRAIN, 1598



"NOATE of corne and malte" involving William Shakespeare is extant in the Stratford Miscellaneous Documents, i, 106. Halliwell-Phillipps in his *Outlines* (I, 58) prints only the "Chapple Street Warde" list, but in his *Life of Shakespeare* (1848, pp. 167-71) he prints the "noate" entire. Wellstood's *Catalogue of the Books, Manuscripts . . . of the Birthplace of Shakespeare*, No. 41, reproduces a facsimile of the "Chapple Street Warde" list and a transcript. The facsimile reproduced here is of the same portion of the document. The original manuscript, a transcript from which is here given as Document

139, is in the Birthplace Museum, Stratford-on-Avon. Here, for clarity in reading, the transcript is punctuated. It will be noted, from the Wellstood facsimile, that the "Chapple Street Warde" list is all in one (scrivener's) hand; that is, the "w^m Shakespere" is not in the dramatist's own hand. Note, too, the conventional sign for "per"; this same conventional script "per" appears in the Belott-Mountjoy Deposition Shakespeare signature. (See chapter lxxxvi, Volume II.)

American readers will keep in mind that in Shakespeare's England "corn" was wheat and "malt" was barley.

This document in form and content

(see chapter lxxxiii, a List of Subscriptions dated September 11, 1611) is an excellent example of thousands of such "Notes," "Surveys," "Lists," "Inventories," "Levies," etc., of the period. The ecclesiastical-social organization, long before superimposed by the Church upon the community, is evidenced here in the division of Stratford into civil-ecclesiastical wards. There are six here—"Woode Street Warde," "Henley Street Warde," "Bridgstreet Warde," "Sheep Street Warde," "Chapple Street Warde," and "Highe Street Warde"—each of which may be fairly accurately located. Moreover, as was the custom, the townspeople or "townesmen" in

[DOCUMENT 139]

[WILLIAM SHAKESPEARE LISTED AS POSSESSING A
QUANTITY OF GRAIN, 1598]

Stratforde } The noate of corne & malte Taken the iijth of Feb-
Burrowhe, } ruarii, 1597, in the xlth yeare of the raigne of or moste
Warrwicke. } gracious Sovereaigne Ladie Queen Elizabeth, &c.

Woode Street Warde. Townesmens corne.

Jhon Sadler malte iij. qrs. malt.

Wm. Slatter and Wid. Parrott iij. quarters malte.

Rychard Pyncke malte and hareley v. quarters, of wheate j. quarter.

George Roase malte iij. quarters.

Mr. Jhon Lane jun. ix. quarters, myle corne ij. quarters d.,* beanes iij. quarters.

James Elliotts viij. quarters wheat, iij. strikes.

Thomas Hornbie ij. quarters vj. strikes, myle corne j. quarter.

Thomas Lemster with hym iij. quarters.

Mr. Parsons malte viij. quarters, wheate ij. quarters d., woates xij. quarters, fletches j. quarter, myll corne ij. quarters.

Jhon Tuhbe xij. quarters ij. stricks.

Thomas Wylkenson x. quarters.

Robert Sperpoynt in hys howse x. str.

Jhon Smythe draper ix. quarters d., mylecorne ij. stricks.

Jhon Page in hys howse iij. quarters, barley j. quarter.

Mr. Sturley v. quarters.

Cicely Bainton vid. viij. quarters, barley iij. quarters.

Rafe Lorde iij. quarters, myle corne viij. st.

Straingers malte.

Mr. Lyttleton xij. quarters att Sadlers.

Mr. Smythe of Wotton xj. quarters.

William Gibbarde ij. quarters.

Rychard Gibbarde j. quarter d.

Mr. Anthonie Nashe att George Roases howse, malte vij. quarters, pease iij. quarters.

Att Tubbes of one Walter Smythes j. quarter, and of William Yockesalls j. quarter.

Att Tho. Wylkensons of Mr. Antho. Nashes x. stricks.

Of Mr. Myddlemores iij. quarters.

Smythe of Rychard Astons j. quarter d.

Of Rychard Smythes of Roweington j. quarter halfe.

Att Mr. Sturleys

Sir Thomas Lucie xij. quarters d.

Of Mr. Anth. Nashe viij. quarters d.

Of Mr. Rychard Wyllyes iij. quarters.

Att Rafe Lorde of Sir John Conways vij. quarters d.

* This "d[emi]" of course stands for "a half." In the original manuscript, the numbers to each are repeated in the margin for the sake of casting up the total.

the "noate" are listed separate from more or less transient persons, "straingers." The mediæval world and the age of Elizabeth were orderly in such matters. Actually to be a "townsman" rather than a "stranger" carried with it distinction, significance, and privilege. A "townsman" was organically a part of the community—indeed, such as he were the community. The "stranger" was something of an "outlaw," not always necessarily a menacing criminal beyond the pale of the law but a being without real estate or proper home or family connections, without definite social connections, and without a liege lord to whom he was subservient in free homage. The Church, too, had not been slow to emphasize and differentiate those loyal to the Faith from those beyond the pale of orthodox belief; Canon Law required that local priests should report to the bishop of the diocese the stranger within the gates and, in particular, the defamer, the blasphemer, and the atheist and should pay periodic visits to such to counsel them with the intent to bring them within the pale of orthodoxy. Through the agency of this ecclesiastical organization of the towns in England, every householder and every shopkeeper, whether "townsman" or "strainger," was readily accessible for the making of any sort of survey, civic or religious.

This "noate of corne and malte," made in 1598 by the local Justices of the Peace, at the instigation of the Privy Council in London, was the direct result of several causes. England during the sixteenth century was definitely shifting economically from an almost wholly agricultural nation to a grazing, pasturing, and sheep-raising one. The large areas of land, often under the control of wealthy men or of the lord of the manor, which in an earlier time had been cut up into many long and narrow small tracts (not infrequently averaging less than an acre each) of arable land rented and farmed, for a yearly fee, by tenant farmers, were being reclaimed and reorganized by the procedure of "enclosing" for the purpose of providing larger pasture areas for sheep raising and woolgrowing. Such enclosures resulted in a re-

duction of the amount of land devoted to the raising of grain and a consequent reduction in the quantity of corn and malt. Moreover, it turned many already poverty-stricken tenant farmers into destitute poor, who joined in the group of equally miserable poor already created by the dissolution of the monasteries. The roads and byways of England were filled with the wretches; and their gradual migration to the towns and cities—especially to London, which doubled in population in less than a quarter of a century—gave rise to a serious social problem. Accentuating the scarcity of corn and malt, the seasons of 1594, 1595, and 1596—the season reflected in *A Midsummer-Night's Dream* and chronicled in local contemporary records—were disastrously wet. They developed a most acute dearth of corn; prices vaulted skyward; poverty and suffering increased; lamentation arose; and actual hand-to-hand local brawls and revolts took place. Accentuating matters still more, Stratford in 1594 and in 1595 experienced a very disastrous fire (see Lee's *Life of William Shakespeare*, 1915, pp. 290-91), which resulted in the destruction of 120 dwellings, effected a loss of £12,000 (nearly \$500,000), and made 400 people homeless. To cap the climax, the Parliament of 1597 voted a formidable subsidy, a tax in addition to the regular levy, to meet the ever increasing governmental expenses of Elizabeth's reign (see chapter xlv, page 264).

Those who had ready funds "engrossed and forestalled" (that is, bought up and hoarded grain and malt and waited for the certain sharp advance in prices) in violation of existing statutes. The practice was not only illegal but also highly unpopular. Certain Stratfordians—William Shakespeare among them—garnered supplies. By holding in bulk, by purchasing direct from the farmer rather than in open market on market days—an institution specifically provided for in Stratford's charters granted by the Crown in 1553 and 1625—and by excessive use of malt (barley) for corn (wheat) in making bread, the "engrossers and forestallers" forced the price rapidly upward to the point of its being

Henley Street Warde. Townesmens corne.

Edwarde Hunte xij. quarters 6 st. of brede corne.
 Jhon Wheeler v. quarters of brede corne, xij. stricks.
 Of olde William Caudreys iiij. quarters.
 Robert Jonsons vij. stricks.
 Jhon Wylmer xij. quarters, mylne corne xiiij. stricks.
 Valentyne Tawnte iij. quarters.
 Rycharde Hornbie iiij. quarters, myle corne ij. quarters.
 Robert Wilson jun. viij. quarters, brede corne ij. quarters, pease and beanes ij. quarters.
 Ancker 'Aynsworthe xvij. quarters, myll corne xiiij. strike.
 Thomas Allen baker, malte xxij. str. bred corne iiij. quarters.
 William Green v. quarters.
 Robert Brookes vj. quarters.
 William Smythe ij. quarters, bredcorne iij. quarters.

Straingers.

Att Jhon Wheelers of Mr. Cowrtes of Oulborrowghe x. str.
 Of George Bartons iij. quarters.
 Att John Wyllmers of John, Sir ffowlke Grevyles cooke, xij. quarters.
 Att William Greens of Mr. Barnes of Clyfforde ix. quarters.
 Att Robert Brookes of one Jhon Coxе hys viij. quarters.
 Of William Coxе hys xj. str.
 Of another mans iij. quarters d.

Bridgstreet Warde. Townesmens corne.

Arter Cawdrey xj. quarters.
 Jhon Smythe alias Cowrte iij. quarters d. bred corne j. quarter.
 Rychard Ainge vj. stricks.
 Mr. Hen. Wyllson iiij. quarters, bred corne ij. quarters.
 Robert Butler vj. quarters d. bredcorne d. qr.
 Lewes Hycoxe d. quarter, breddcorne d. qr.
 Jhon Atwoode j. quarter, of John Luptons iiij. quarters.
 Mrs. Ann Nashes iij. quarters, pease v. quarters.
 Mr. Jhon Lane sen. xij. quarters more in green malte and barley xx.ti. quarters.
 Edwarde Sheffylde iij. quarters.
 Frauncys Bellars iij. quarters d.
 William Cawdrey iiij. quarters.

Straingers malte.

Att Arter Cawdreys of Jhon Moores of Ipseley iiij. quarters.
 Of widdowe Bunnes ij. quarters.
 Att Mr. Hen. Wyllsons of Mr. Chyldes ix. quarters.
 Att William Cawdreys jun. of Mr. Anthonye Shrimpton v. quarters.
 Of ffrauncis Pallmers of Ladbroke Perke v. quarters.
 Att Mrs. Anne Nashes vid. of hyr son Humfrey Nashes viij. quarters.
 Robert Wyllson sen. at Robert Butlers iij. quarters.

[Document 139]

“Noate of Corn and Malte” in which William Shakespeare was listed as possessing ten quarters (eighty bushels) of malt, February 4, 1598. Miscellaneous Documents i, 106, Birthplace Museum, Stratford-upon-Avon

Sheep Street Warde. Townsmens corne.

Daniell Smythe viij. quarters, bredcorne j. quarter.
Wid. Roocke of Jhon Archardes a bachelor xiiij. strickes.
Of wid. Byddles j. quarter.
Henry Smythe ix. quarters.
Mr. Rycharde Tyler xv. quarters, myle corne j. quarter.
William Wyate xj. quarters.
Of old William Cawdrey iiij. quarters.
Edmonde Wall v. quarters, bredcorne vj. str.
Rycharde Boyes iiij. quarters d.
William Suarte o. o. o.

Straingers.

Att vid. Rookes of one Jhon Bakers of Charlecoate a bachelor v. quarters.
Att William Wyates of George Bartons vj. quarters.
Att Edmonde Walls of Jhon Hyggens of Tyddyngton ij. quarters.
Att Rycharde Boyes of Mr. Smythes of Burmingham iiij. quarters.
Of Robert Pennells, Sir Thomas Lucies servants, about xiiij. quarters.

Chapple Street Warde. Townsmens corne.

ffrauncys Smythe jun. iiij. quarters.
Jhon Cox v. quarters.
Mr. Thomas Dyxon xvij. quarters.
Mr. Thomas Barber iiij. quarters.
Mychaell Hare v. quarters.
Mr. Bifelde vj. quarters.
Hughe Aynger vj. quarters.
Thomas Badsey vj. quarters, bareley j. quarter.
Jhon Rogers x. str.
w^m. Emmetts viij. quarters.
Mr. Aspinall about xj. quarters.
w^m Shakespere x. quarters.
Julii Shawe vij. quarters.

Straingers.

Rycharde Dyxon hath of Sir Thomas Lucies xvj. quarters.
Of Sir Edw. Grevyles x. quarters.
Of Edw. Kennings iiij. quarters.
Mr. Bifelde of his systers iiij. quarters.
Hughe Ainger of hys wyves systers one quarter.
William Emmetts of one Nickes of Whatcoate iiij. quarters, of ffrauncys Tybbatts vj. str.

Highe Street Warde. Townesmens corne.

Jhon Smythe vint. x. strickes.
Smythe iremonger iiij. quarters, myle corne d. qr.
ffrauncys Boyes xj. quarters, one quarter bareley.
Daniell Baker iiij. quarters.

prohibitive. Abraham Sturley (High Bailiff of Stratford, 1596) in a letter to Richard Quincy (High Bailiff of Stratford, 1592) on January 24, 1598, said corn was 26s. the quarter (10 bushels), that is, more than \$5.00 a bushel. Stow, in his *Survey of London* (1st edition in 1598), an invaluable and exhaustive record of Elizabethan London life, declared that corn had fallen from a late 104s. a quarter to 80s. a quarter; then "it arose again to the late greatest price." Now 104s. was more than \$200 for a quarter, about \$20 a bushel! Not for another twenty-five years, in 1629, and 1631, did England see another corresponding inflation in prices of corn and malt. Records do not show whether or not John Shakespeare forty years earlier, in 1588, when he was one of the ale-tasters (officers who had supervision of malt liquors and bread) witnessed any similar vaulting of prices for foodstuffs.

The Privy Council, always a barometer of the national mood and its activity, had labored hard and long to prevent ruinous "enclosures" and likewise to prevent illegal "engrossing and forestalling."¹ The Orders of the Privy Council of 1586 (see *Short Title Catalogue*, No. 9194), especially framed to remedy the abuses of "engrossing and forestalling," were reissued to Justices of the Peace in 1594 (see *Short Title Catalogue*, No. 9201) and again in 1595 (see *ibid.*, No. 9202), revised as "A New Charge." On October 26, 1595 (see Dasent, *op. cit.*, XXV, 25 ff.), the Privy Council, by special letters, enforced the "New Charge." Already the export of grain had been forbidden. The *Statutes at Large* have many such legal prohibitions. By the "New Charge" local Justices of the Peace were required to form local committees of constables, etc.; were directed to make "noates" or inventories and to report returns; were instructed to secure the names of the holders of corn and malt, determine the amounts held, get the number of maltsters employed

¹ See Miss E. M. Leonard's "The Inclosure of Common Fields in the Seventeenth Century," *Royal Historical Society Transactions*, XIX [1905], 101-46, and J. R. Dasent's *Acts of the Privy Council*, 32 vols., 1890-1907.

(more than one household had its servant engaged for the sole purpose of malting); and were directed to take steps to regulate trade and to effect the breaking up and selling of the hoarded stocks of corn and malt. On November 4, 1597, Stratford maltsters were bound over not to make malt. A return of corn and malt made in Stratford (see E. I. Fripp's *Master Richard Quyny*, p. 103), on December 7, 1595, has some of its foremost citizens on its list—Sturleys, Quineys, and others. William Shakespeare's name did not appear in this list; he had not yet become a "townesman," a bona fide householder, for he did not purchase New Place, his permanent home in Stratford, until May 4, 1597. On July 31, 1596, and on November 2, 1596, the Privy Council issued proclamations² of support of the activities of the justices to curtail "engrossing and forestalling." Still another letter was addressed to Justices of the Peace on August 3, 1596 (see Dasent, *op. cit.*, XXVI, 80). A letter of the Privy Council of August 7, 1597, identified Justices of Peace as "men which are of good lyvelyhoode and estimacion of worshipp." Yet their letters were not altogether effective. The situation was seriously occupying the mind of Lord Burleigh for the Parliament of 1598 (Hatfield MS, vii, 497). On August 22, 1597, the Privy Council called upon all Justices of the Peace (not infrequently themselves the "engrossers and forestallers") for a fresh inquisition upon all "engrossers," "a number of wycked people in condicions more lyke to wolves or cormerants than to naturall men" (see Hatfield MS, vii, 410, and Dasent, *op. cit.*, XXVII, 359-61). Abraham Sturley was greatly concerned. He and Richard Quiney were "great corn-buyers"; Quiney, the "noate" shows, garnered as much as 47 quarters (470 bushels) of barley and 32 quarters (320 bushels) of malt and was harboring stocks belonging to other men. Sturley, in a letter of January 27, 1598, to Richard Quiney (see Edgar I. Fripp's *Master Richard Quyny*, pp. 125 ff.) reported the

Mr. Quynney xiiij. quarters, bareley viij. strickes, mylecorne x. strickes.
Henrye Walker vj. quarters, bareley j. quarter, beanes iiij. quarters.
Mr. Thomas Rogers vij. quarters, rye iiij. quarters, myle corne ij. quarters.

Strangers.

Francys Boyes hathe of Wm. Holmes of Bydforde iij. quarters.
Daniell Baker of Mr. Toovies of Coventree ij. quarters halfe.
Mr. Quynney of Mr. Huband hys malte vij. quarters.
Of Mr. Littletons vj. quarters.
Of one Gylles Rychardes v. quarters.
Of one Smythes of the Woodlande ij. quarters.
Mr. Rogers hathe of Mr. Hubands v. quarters iiij. str.
Somme iiij. c. xxxviij. quarters vj. str. of malte of townes mens.
Wheate and mylecorne xliij. quarters halfe.
Pease, beanes, and fetches, xv. quarters.
Barley ix. quarters vj. stricke.
Somme of straingers malte ij. c. lj. quarters halfe.

Stratford peoples' unrest and their growing "malecontent": they were approaching neighboring Justices with complaints against "our malsters"; there were wild hopes of leading the "engrossers" in a halter and "if God send mi Lord of Essex downe shortli, [they hoped] to se them hanged on gibbets att their owne dores." The "dearnes of corne," it was reported early in 1598 of Stratford, was "beionde all other countries [shires]." See Document 107.

It was in the midst of strained unrest like this that, on February 4, 1598, a second "return of corn and malt" was made in Stratford—the present "noate of corne & malte." More than one hundred and twenty names of Stratford's citizenry appear—John Sadler, Mr. Sturley, Sir Thomas Lucy, John Wheeler, Richard Hornby, Richard Ainge, Richard Tyler, Mr. Aspinall, Wm. Shakespeare, Julius Shaw, Mr. Quiney, Thomas Rogers, John Lane, John Tubbe, and Anthony Nash among them. While supposedly every householder and shopkeeper was listed, it is clear, from the two groups of entries ("townesmen" and "straingers") in each ward, that some of the holders of corn and malt had their stocks in the custody of other persons, friends or neighbors. It is noteworthy that these persons are invariably

"straingers," persons who were not the owners of the dwellings and shops, which they occupied or where they resided. "Straingers" as well as "townesmen" took advantage of the inflated market and garnered "malt," "mylecorne," "wheat," "barley," "bredcorne," "pease," "beanes," "fetches," "woates"—all foodstuffs listed in the inventory. The measures were by "quarters" (ten bushels) and "strikes." The term "strike," which commonly signified a bushel but varied locally from half a bushel to four bushels, originates from the stick used to level off the grain in the measure. The abbreviation "d." stands for "demi" or half. Widows and bachelors also are in the listing. At the close of the survey the total is given: the "townesmen" had "somme iiij. c. xxxviij. [438] quarters" and the "straingers" had "malte ij. c. li. [251] quarters halfe." This totals some 6,900 bushels.

In "Chapple Street Warde," in which was New Place, is found "Wm. Shackespere's" name. The last three names in that group are

Mr. Aspinall about xj. quarters.
wm Shackespere x. quarters.
Julii Shawe vij. quarters.

Aspinall was the Parish Church priest and town schoolmaster; Julius Shaw,

² See Robert Steele's *Tudor and Stuart Proclamations, 1485-1714*, 1910, Nos. 884, 888.

who later witnessed Shakespeare's will, was the dramatist's neighbor two doors to the north. In the entire list of one hundred and twenty persons set down, only about a dozen held more "corne and malte" than Shakespeare. In his own ward, only two, "Mr. Thomas Dyxon xvij. quarters" and "Mr. Aspinall about xj. quarters," had more than the poet. From the survey it is obvious that not every person set down was an "engrosser and forestaller," for some are listed as holding only relatively small amounts, such as "Rychard Gibbarde j. quarter d.," that is, half a quarter, or five bushels; yet, when one considers that corn and malt were frequently sold in quantities as small as a pint, even five bushels constitute a considerable stock. The "xviij. quarters" of Ancker [Archer (?)] Aynsworth, the "xvij. quarters" of Thomas Dixon, the "xij. quarters d." of Sir Thomas Lucy, and the "xij. quarters" of corn, "viij. strickes" of barley and "x strickes" of "mylecorne" of "Mr. Quyne" are, then, rather large holdings. If any in Stratford were "engrossers and forestallers," in violation of statute, these men obviously were guilty. Likewise, perhaps, the fairly large number holding ten or twelve quarters were only less guilty.

"wm Shakespere x. quarters"—eighty bushels—potentially was worth at least \$1,600. Certainly this was a rather goodly amount of "corne and malte" in Shakespeare's possession at New Place, where he had resided as a householder for less than a year, as the chief food supply for a family consisting of himself—and he was absent much of the time—a wife, and two daughters, Hamnet, the only son, having died in August 1596. In effect, seemingly, though obviously not to the same degree, William Shakespeare took advantage of a prospective rising market in "corne and malte" and had "engrossed and forestalled" along with some of his fellow townsmen.

The adjusting market and the endeavors of the Privy Council, which again on August 23, 1599, charged the Justices of Peace to perform their duties in the matter, gradually remedied con-

ditions; for in June 1600 "there is no lack of corn."³

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³Hard upon the disastrous fire in Stratford-upon-Avon, in 1594, in accordance with precedent, the Town Council secured permission from the quarter sessions of the County of Warwick to appeal for help to the country at large. During the autumn of 1594, Alderman Richard Quiney (Bailliff in 1592, re-elected in 1601) and John Sadler, two prominent and substantial citizens of Stratford, made journeys through the neighboring country and as far away as the Colleges at Oxford, where Quiney obtained £7 0s. 11d., and as far north as Northampton, where Sadler secured £26 10s. 3d., to raise funds for the relief of the poor. In 1595, Quiney and Sadler again sought aid with a measure of success through Norfolk and Suffolk, and then visited Lincoln and London. Of the £75 6s. which Quiney now collected, expenses for travel deducted as much as £54 9s. One of the most expensive items was horse-hire—one shilling a day. More details of the 1594 collections may be found in Stratford Council Book A under dates of September 25 and October 25. Documents describing the collections for both 1594 and 1595 are in the Wheler Papers (I, folios 43-44). The town records of Leicester for 1595 show that the "collectors" visited that city: "collectors of the town of Stratford-upon-Avon 13s. 4d. in regard to their loss by fire" (see Mary Bateson, *Records of the Borough of Leicester*, 1905, III, 320).

In the Birthplace Museum at Stratford-on-Avon there is a draft, in Richard Quiney's own handwriting, of the Petition taken in 1597 by Richard Quiney on behalf of the "Baileefe, Aldermen and Burgesses of hyr maties Borrowghe Towne of Stratforde-vppon-Avon" to London to the Court of Exchequer, Tax Collector's office, for relief "in regarde of the darthe of corne, wch by the Lordes hand is layed vppon o' lande and vppon o' cowntyte more than manye others." The petition asserts that the statute "to restrayne malte makinge generally" is a matter the Stratford folk "arr not habile to indwre in that o' towne hath noe other speciall trade, havinge thereby onely tyme beyownde mans memorye lyved by excersyseng the same, o' howses fytted to no other vses, manye servantes amonge vs hyered onely to that

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purpose"; moreover, "o' towne wanting the helpe of commons to keepe any cattle towardes o' sustenance and besydes that we have endured greate losses by twoe extreme fiers wth hathe mightly decayed o' sayed towne haveing Burnt in the 36 and 37 of hyr hig: raigne 120 dwellinge howses and consumed 12000^{ll} & vppwardes in goodes, be meanes whereof we have 400 poore people that lyve onely vppon reliefe att o' doores in thatt o' habilytes cannot better provide for them." It is then petitioned "thatt in consyderation hereof hitt might please yo^r Ho: to enlarge vs wth some Toleration to yo^r Ho: best besceminge & to Leav the allowance vnto vs adioynge Sr Ed: Grevyle wth vs thatt it may the better appeare we desyer to satisfie thatt bescemeth o' dwetyes to yo^r & o' contrey & savegarde of o' poore neighbors estates wherevnto we are allsoe bownde, & thatt it might please yo^r allsoe to geve order to o' Justices for the Cowntie to restraine all farmers and husbandmen inhabitinge in o' cowntyte nott to converte ther owne Barley into mawlte as they have done & doe to the greate hyndrance of all o' markettes & the vtter spoyle of o' towne." A royal proclamation (Dasent, *Acts of the Privy Council*, XXXVIII, 314 ff.) of 1597 forbade all but farmers who grew barley to brew malt between Lady Day and Michaelmas, and "the excessive buying of barley for that use and purpose" was restricted. This regulation is what the Petition requested be rescinded. On January 24, 1598, Abraham Sturley (brother of Quiney's wife), who had been Bailliff in 1596, wrote to Richard Quiney in London that he had "great feare and doubte" that the burgesses were "bi no meanes habile to paie" their taxes.

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L

THE PUBLICATION OF LOVE'S LABOUR'S LOST, 1598

THE FIRST quarto edition of *Love's Labour's Lost* is in signatures A-I⁴, K², making 38 unpagéd leaves. Of this original issue, some eleven copies, differing in minutiae, are known; see the *Short Title Catalogue* for their listing and their present repositories. The title page is here given as Document 140. As in the case of the 1631 quarto, details are from a copy in the Huntington Library.

A much later second quarto, printed in 1631, exists in some twenty-three copies. This second issue is in signatures A-I⁴, K² (38 leaves), virtually a duplicate of the first quarto of 1598. By contrast, its title page is a bit more emphatic in its arrangement than is that of the first issue. It is provided herein as Document 141.

The 1598 first quarto does not divide the play into acts; the First Folio does divide it into acts and, at the close, adds the line "You that way: we this way," which is obviously a stage direction from a prompt copy. Investigation¹ has shown that of plays performed by adult companies in the public theaters in the Elizabethan period, only twenty per cent show act divisions. Of the 1598 first quarto edition, Halliwell-Phillipps (*Calendar of Rarities*, No. 21) asserted: "This is the earliest work of Shakespeare in which his name occurs on the title-page." Editions of *Titus Andronicus* (1594; unique copy in the Folger Shakespeare Library), *Richard II* (1597),

Richard III (1597), and *Henry IV* (1598) had appeared without any mention whatsoever of Shakespeare as author. The 1599 quarto of *Henry IV*, however, does indicate the author's name.

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[DOCUMENT 140]

[TITLE PAGE OF QUARTO 1 OF LOVE'S LABOUR'S LOST, 1598]

[Ornament] / A / PLEASANT / Conceited Comedie / CALLED,
 / Loues labors lost. / As it vvas presented before her Highnes / this
 last Christmas. / Newly corrected and augmented / By W. Shake-
 spere. / [Ornament] / Imprinted at London by W. W.* / for Cut-
 bert Burby. 1598.

* This is probably William White; see Arber's *Transcript*, V, 193.

[DOCUMENT 141]

[TITLE PAGE OF QUARTO 2 OF LOVE'S LABOUR'S LOST, 1631]

Loues Labours lost. / A WITTIE AND / PLEASANT / COM-
 EDIE, / As it was Acted by his Maiesties Seruants at / the Blacke-
 Friers and the Globe. / Written / By WILLIAM SHAKESPEARE.
 / [John Smethwicke's printer's device] / LONDON, / Printed by
 W. S. for Iohn Smethwicke, and are to be / sold at his Shop in Saint
 Dunstones Church- / yard vnder the Diall. / 1631.

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LI

FRANCIS MERES'S *PALLADIS TAMIA*, 1598

MERES'S *Palladis Tamia* appears to have been prepared for final publication during the late summer of 1598; it was entered in the Stationers' Register, September 7, 1598; but, as published, it mentions Marston's *Satires*, which was registered on the previous May 27, and also Edward Guilpin's *Skialetheia*, which was registered as late as September 15, 1598. Just when between 1593 (when he became M.A. at Oxford) and 1598 (when the *Palladis Tamia* appeared) Meres compiled the major part of this volume cannot be determined accurately; it may be he came to London

definitely to prepare this volume as the second of a series of four which appeared in 1597, 1598, 1599, and 1604. F. S. Ferguson (*The Times* [London] *Literary Supplement*, June 7, 1928, p. 430) rightly describes a copy containing a dedication to Thomas Eliot, Esq., of the Middle Temple as from London on October 19, 1598, and in addition, an address, "Candido Lectori." Chambers (*William Shakespeare*, II, 193) suggests that the reason these features are missing from other copies is that the address criticizes the "illiberalem chartae parsimoniam" of the "bibliopola" Cuthbert Burby, who cut some of Meres's copy. In the

section of *Palladis Tamia* on "Poets" Meres praises the "liberal patrons" who made possible the immortality of Greek and Latin poets but condemns the Elizabethan period because of its lack of literary patronage. The excerpts here reprinted are taken direct from folios 279-84 of the rare original edition (333 folios, see table of contents) in the Huntington Library. Shakespeare is specifically mentioned on folios 280-84.

A. [Folio 279r]

A comparative discourse of our English Poets, with the Greeke, Latine, and Italian Poets.

AS Greece had three Poets of great antiquity, *Orpheus*, *Linus* and *Musaeus*; and *Italy*, other three auncient Poets, *Linus*, *Andronicus*, *Ennius*, & *Plautus*: so hath England three auncient Poets, *Chaucer*, *Gower* and *Lydgate*.

The method of comparison ("As . . . so") of items ancient with items modern (that is, Elizabethan) here employed by Meres is quite in keeping with the many anthologies, compendiums, and handbooks of the day. In no sense was it original with Meres or with John Lyly, who employed much the same device in his famed *Euphues* (1579-80). Meres, in literary style and in use of classical materials, was indebted to the many books which dealt with poets, antiquity, etc. His method was that familiar to every sixteenth-century school-boy.

B. [Folio 280^r]

As the Greeke tongue is made famous and eloquent by *Homer*, *Hesiod*, *Euripides*, *Aeschylus*, *Sophocles*, *Pindarus*, *Phocylides* and *Aristophanes*; and the Latine tongue by *Virgill*, *Ovid*, *Horace*, *Silius Italicus*, *Lucanus*, *Lucretius*, *Ausonius* and *Claudianus*: so the English tongue is mightily enriched, and gorgeously inueſted in rare ornaments and reſplendent abiliments by ſir *Philip Sidney*, *Spencer*, *Daniel*, *Drayton*, *Warner*, *Shakespeare*, *Marlow* and *Chapman*.

C. [Folios 281^v-282^r]

As the ſoule of *Euphorbus* was thought to liue in *Pythagoras*: ſo the ſweete wittie ſoule of *Ouid* liues in mellifluous & hony-tongued *Shakespeare*, witnes his *Venus* and *Adonis*, his *Lucrece*, his ſugred Sonnets among his priuate friends, &c.

This is the only contemporary reference to Shakespeare's *Sonnets* which were printed in 1609 but were not included by Heminges and Condell along with Shakespeare's plays in the 1623 First Folio. They were reprinted as a part of Shakespeare's poems in 1640 and in 1710, but did not constitute a part of the collected complete works of Shakespeare previous to Malone's edition (1790).

D. [Folio 282^r]

As *Plautus* and *Seneca* are accounted the beſt for Comedy and Tragedy among

the Latines: ſo *Shakespeare* among y^e Engliſh is the moſt excellent in both kinds for the ſtage; for Comedy, witnes his *Gētlenē of Verona*, his *Errors*, his *Loue labors loſt*, his *Loue labours wonne*, his *Midſummers night dreame*, & his *Merchant of Venice*: for Tragedy his *Richard the 2.* *Richard the 3.* *Henry the 4.* *King Iohn*, *Titus Andronicus* and his *Romeo and Iuliet*.

E. [Folio 282^r]

As *Epius Stolo* ſaid, that the Muſes would ſpeake with *Plautus* tongue, if they would ſpeak Latin: ſo I ſay that the Muſes would ſpeak with *Shakespeares* fine filed phrase, if they would ſpeake Engliſh.

F. [Folios 282^r-282^v]

And as *Horace* ſaith of his,¹ *Exegi monumentū are perennius; Regaliq[ue]; ſitu pyramidū altius; Quod non imber edax; Non Aquilo impotens poſſit diruere; aut innumerabilis annorum ſeries & fuga temporum* ["I have builded a monument more enduring than brass and more lofty than a pyramid in its regal site, which neither devouring rain, nor north wind can destroy, nor the unnumbered series of years and the flight of Time"]: ſo ſay I ſeuerally of ſir *Philip Sidney*, *Spencers Daniels*, *Draytons*, *Shakespeares*, and *Warners workes*;

Non Iouis ira: imbres: Mars: ferrum: flamma, ſenectus,
Hoc opus unda: lues: turbo: venena ruent.

Et quanquam ad pulcherrimum hoc opus euertendum tres illi Dij conſpirabūt, Cronus, Vulcanus, & pater ipſe gentis;

Non tamen annorum ſeries, non flamma, nec enſis,

Æternum potuit hoc abolere Decus.

["Not the wrath of Jove, rain, Mars, the sword, flames, old age, wave, plague, mob, nor poison shall overthrow this work. Albeit to the overthrowing of this most beautiful work these three gods will conspire, Chronos, Vulcan, and Jove the father of

¹ Meres just before this passage had quoted Ovid on his own work thus:

"Iamque opus exegi, quod nec Iouis ira, nec ignis, Nec poterit ferrum, nec edax abolere vetustas"

"Now I have built a work which neither the wrath of Jove, nor fire, Nor the sword, nor all devouring Time shall destroy,"

and now Meres is quoting Horace on his own product.

peoples himself. Yet neither the succession of years, nor fire, nor the sword can do away with this eternal honor."]

This idea of literature, particularly of poetry, being a permanent thing that endures to a far generation is in keeping with the Elizabethan literary conceit, found not infrequently in Shakespeare's *Sonnets*, that the person celebrated in verse will live, because of it, to a far-off time.

G. [Folios 282^v-283^r]

As *Pindarus*, *Anacreon* and *Callimachus* among the Greekes; and *Horace* and *Catullus* among the Latines are the best Lyrick Poets: ſo in this faculty the best amōg our Poets are *Spencer* (who excelleth in all kinds), *Daniel*, *Drayton*, *Shakespeare*, *Bretto*. [?]

H. [Folio 283^r]

As theſe Tragick Poets flouriſhed in Greece, *Aeschylus*, *Euripides*, *Sophocles*, *Alexander Actolus*, *Achaus Erithrius*, *Astydamas Atheniēſis*, *Apollodorus Tarſenſis*, *Nichomachus Phrygius*, *Theſpis Atticus*, and *Timon Appolloniates*; and theſe among the Latines, *Accius*, *M. Attilius*, *Pomponius Secundus* and *Seneca*: ſo theſe are our beſt for Tragedie, the Lorde *Buckhurst*, Doctor *Leg* of Cambridge, Doctor *Edes* of Oxforde, maiſter *Edward Ferris*,² the Authour of the *Mirror for Magiſtrates*, *Marlow*, *Peele*, *Watſon*, *Kid*, *Shakespeare*, *Drayton*, *Chapman*, *Decker*, and *Beniamin Iohnſon*.

I. [Folios 283^r-283^v]

The beſt Poets for Comedy among the Greekes are theſe, *Menander*, *Aristophanes*, *Eupolis Athenienſis*, *Alexis Terius*, *Nicostratus*, *Amipſias*, *Athenienſis*, *Anaxandrides Rhodius*, *Aristonymus*, *Archippus Athenieſis* and *Callias Athenienſis*; and among the Latines, *Plautus*, *Terence*, *Næuius*, *Sext. Turpilius Licinius Imbrex*, and *Virgilius Romanus*: ſo the beſt for Comedy amongſt vs bee *Edward Earle* of Oxforde, Doctor *Gager* of Oxforde, Maiſter *Rowley* once a rare Scholler of learned *Pembroke Hall* in Cambridge, Maiſter *Edwardes* one of her Maieſties Chappell, eloquent and wittie *Iohn Lilly*,

² George Ferress and not Edward: Meres repeats the error committed by George Puttenham (*Art of English Poetry*, 1589, p. 49), by Edward Arber (reprint in *English Garner*, p. 74), and by Anthony à Wood (*Athenae Oxoniensis* [4 vols., 1813-20], Vol. I, columns 340, 445).

Lodge, Gascoyne, Greene, Shakespeare, Thomas Nashe, Thomas Heywood, Anthony Munday our best plotter, Chapman, Porter, Wilson, Hathway, and Henry Chettle.

J. [Folios 283^v-284^r]

As these are famous among the Greeks for Elegie, Melanthus, Mymnerus Colophonius, Olympius Mysius, Parthenius Nicaus, Philetas Cons, Theogenes Megarensis, and Pigres Halicarnassensis; and these among the Latines, Mecenas, Ovid, Tibullus, Propertius, T. Valgius, Cassius Senerus & Clodius Sabinus: so these are the most passionate among vs to bewaile and bemoane the perplexities of Loue, Henrie Howard Earle of Surrey, sir Thomas Wyat the elder, sir Francis Brian, sir Philip Sidney, sir Walter Rawley, sir Edward Dyer, Speneer, Daniel, Drayton, Shakespeare, Whetstone, Gascoyne, Samuel Page sometimes fellowe of Corpus Christi Colledge in Oxford, Churchyard, Bretton.

K. [Folio 284^v]

The King of Scots now liuing is a Poet, As his Lepanto, and his furies show it: so Elizabeth our dread Ioueraign and gracious Queene is not only a liberal patronesse vnto Poets, but an excellent Poet herselfe, whose learned, delicate and noble Muse surmounteth, be it in Ode, Elegy, Epigram, or in any other kind of Poem Heroicke, or Lyricke.

It should be noted that, in keeping with the literary conventions of the day, which commonly spoke of "scenic poet" or "dramatic poet," but virtually never of "dramatist" or "playwright," Meres's pronouncements are emphatic of Shakespeare as a poet! Moreover, it will be seen that Meres speaks of Shakespeare in some nine different passages (B-J, above) which readily group themselves into two definite categories: (a) of these nine comments, six are of the general sort in which the criticism applies equally well to others of Shakespeare's contemporaries (Sidney, Spenser, Daniel, Marlowe, Chapman, and others); whereas in one of these groups (G, above) Spenser is singled out as one "who excelleth in all kinds," and in another passage (not included in our excerpts) Meres declares "I knowe not what more excellent or exquisite Poem

[*The Faerie Queene*] may be written," in another he asserts that Sidney is "our rarest Poet," and in still another he holds that "Daniel hath diuinely sonneted the matchless beauty of his *Delia*"; (b) the remaining three comments are rather highly specialized and do single out William Shakespeare.

Of the general group, the six categories are clearly individualized: (1) Just as the Greek tongue and the Latin tongue also have been "made famous and eloquent" by certain great writers, "so the English tongue is mightily enriched, and gorgeously inuested in rare ornaments and resplendent abilliments by . . . Shakespeare" and by seven of Shakespeare's Elizabethan contemporaries. Here is seen the Elizabethan love of Renaissance color, garnishment, and literary style. (2) As Ovid and Horace declared that their words were monuments which neither the wrath of Jove, nor fire, nor the sword, nor all-devouring Time shall destroy, "so say I severally of . . . Shakespeares" and those of five other Englishmen. (3) As certain Greeks and certain Latins were the best lyric poets among the ancients, "so in this faculty the best amōg our Poets are Spenser (who excelleth in all kinds), . . . Shakespeare," and three others. (4) As certain Greek and certain Roman authors flourished as "Tragicke Poets," "so these are our best for Tragedie, . . . Shakespeare" and some thirteen other contemporary dramatists. (5) As certain Greeks and certain Latins were the "best Poets for Comedy," "so the best for Comedy amongst vs bee . . . Shakespeare" and sixteen others. Shakespeare is not commented on; but John Lyly is "eloquent and wittie," and Anthony Munday is "our best plotter," a dramatic quality which modern scholarship scarcely accredits to Munday. (6) As a given group of Greeks and another group of Latins were "famous" "for Elegie," "so these are the most passionate among vs to bewaile and bemoane the perplexities of Loue, . . . Shakespeare" and fourteen other contemporary Elizabethans. Here is seen the Elizabethan fondness for the love lament and the love complaint" as ex-

emplified in Daniel's *The Complaint of Rosamond*, Marlowe's *Hero and Leander*, Shakespeare's *Venus and Adonis* and his *Lucrece* in particular.

From this analysis of the six groupings in which Shakespeare and his contemporaries appear, there is nothing by way of comment or otherwise that gives our bard any special distinction, no evidence that Meres placed Shakespeare at the head of the list or that he considered him superior to the other poets and dramatists named. He is more or less casually included in the group, and we are scarcely justified in singing his praises at the expense of the others: in poetry, Spenser, Daniel, Drayton, and Sidney are also listed in every group except one, and in drama Chapman is listed along with Shakespeare as best in both comedy and tragedy.

Of the special comments on Shakespeare in *Palladis Tamia*, there are three categories each of which definitely individualizes him as a gifted literary man. Moreover, these three appear in the text in immediate juxtaposition to each other (C, D, E, folios 281^v-282^r)—almost as if especially intended to be so grouped. To the Renaissance world, Ovid was the supreme poet: he was a poet they actually knew, while Homer, though highly praised, was still pretty much a mere name. The influence of Ovid on Shakespeare's *Venus and Adonis* has been convincingly demonstrated by Edgar I. Fripp in his *Shakespeare Studies* (1930, pp. 98-128). Meres says that "the sweete wittie soule of Ouid liues in mellifluous & hony-tongued Shakespeare, witnes his *Venus* and *Adonis*, his *Lucrece*, his sugred Sonnets among his priuate friends, &c." Now "sweete wittie soule," "mellifluous & hony-tongued," and "sugred" are epithets not generously employed by Meres; they are applied to Shakespeare and to Shakespeare only. Shakespeare is here especially complimented. In other items of this "Comparatiue Discourse," of *Palladis Tamia*, Meres says, "Chaucer is accounted the God of English poets," Sidney is "our

* See F. A. Patterson's *The Middle English Penitential Lyric*, 1911, and John W. Hebel and Hoyt H. Hudson's *Poetry of the English Renaissance, 1509-1660* (1929), for discussion and examples.

as "theologus et poeta"; the "Francis Meres" who prefixed a Latin epigram to Thomas Randolph's *Jealous Lovers* (1640) has not been definitely identified as the same Francis Meres who wrote *Palladis Tamia* of 1598. In 1597, he published a sermon, *Gods Arithmetick* (London, by Richard Johnes), to which he appended a long and erudite "Epistle Nuncupatorie" to John Meres his uncle, early benefactor and high sheriff of Lincolnshire. On the title page of this sermon he describes himself as "Maister of Arts in both Universities and Student in Divinity." His interest in theology and morals was productive of two sermons, translations through the French of two religious works by the Spaniard Louis de Grenada: the first was *Granados Devotion, exactly Teaching How a Man Truly Dedicate and Devote Himself unto God* (London, 1598, E. Allde for Cuthbert Burby), dedicated to Will Sammes of the Middle Temple, London, May 11, 1598; the second was *Sinners Guide, a Worke Contayning the Whole Regiment of Christian Life* (London, 1614, R. Field for Edward Blount), dedicated, under date of May 10, 1598, to Sir Thomas Egerton. These items, as indicated by their titles, are examples of the all-embracing, encyclopedic, and compendary nature of scores of conventional publications of the day in virtually every field of activity—law, medicine, theology, literature, and morals. On July 14, 1602, Meres became rector of Wing in Rutland, where he conducted a school; he retained this living till his death on January 29, 1647.

Francis Meres had a son Francis, whose son Edward (B.A., 1679, and M.A., 1683, St. Johns College, Cambridge) became rector of Wing in 1688. Meres's wife Maria died May 2, 1631, aged fifty-four. His own entry in the Parish Register for her death records her virtues, quite after the erudite fashion of the day, in both English and Latin.

To students of Shakespeare, Meres is important for writing and issuing *Palladis Tamia: Wits Treasury* in 1598. This was the second of a series of four volumes, appearing sequentially in 1597, 1598, 1599, and 1604. These four

volumes (how definitely under some general supervising editor does not appear) were as follows: (1) *Politeuphuia: Wits Commonwealth* (a conventional handbook of many quotations from the classics of philosophical comment on literature, art, and morals), mostly by Nicholas Ling, though commonly assigned to John Bodenham, appeared in 1597; (2) *Palladis Tamia: Wits Treasury* (actually a continuation of *Politeuphuia*), wholly by Meres, was issued in 1598; (3) *Wits Theater of the Little World*, for which Nicholas Ling was again responsible, appeared in 1599; and (4) *Palladis Palatium. Wisedonis Pallace, or the Fourth Part of Wits Commonwealth*, by G. Elde for Francis Burton, London, appeared in 1604. This "fourth part," in the Stationers' Register (Arber, *Transcript*, III, 264) is ascribed to William Wrednot. The unique copy of it belongs to Sir Charles Isham's family, of Lamport. Each of these volumes is a conventional collection of "wise saws and modern instances" in the encyclopedic fashion of the day. The very words employed in the titles—"Wit" (intelligence), "Wisdom" (accumulated knowledge), "Pallace" (from *Palatium*, one of the famed seven hilltops in Rome), "Treasury" (storehouse of valuables), "Theater" (meeting place for the worship of God, philosophy), and "Commonwealth" (public good)—suggest their definite intent, pattern, and origin as commonplace books of the sixteenth century, hundreds of which today are in public and private collections in English and American repositories.

That Meres's volume was the second of a planned series is evident from the entry in the Stationers' Register, a facsimile of which appears in Halliwell-Phillipps' *Outlines*, II, 149: "1598 Anno 40^{mo} Rē vij^o September Entred for his Copie vnder the wardens handes and mr Hartwell [?] a booke called Wyttis Treasurie beinge the second pte of Wittes Comon Wealth." Similarly the title page to the first edition runs: "*Palladis Tamia. / WITS / TREASURY / Being the Second part / of Wits Common / wealth. / BY / Francis Meres Maister / of Artes of both Vni- / uersi-*

ties. / [Quotation, one line] / AT LONDON / Printed by P. Short, for Cuthbert Burbie, and / are to be solde at his shop at the Royall / Exchange. 1598." The volume (8vo) collates [A]⁴, B-Z², Aa-Vv⁴ = 340 leaves.

Meres's address "To the Reader," which seems to have been written for the original publication, promises a third contribution to the series of compendary handbooks by an eminent scholar. Moreover, the title page states that it was a second part, and the reissue of 1634 reads: "*Wits-Commonwealth, the second part: A Treasurie of Diuine, Moral, and Phylosophical Similes, generally useful but more particularly for the use of Schools.*"

Anthony à Wood, speaking of *Palladis Tamia*, declared it to be "A noted schoolbook celebrated for its list, the first printed, of Shakespeare's plays, and definitely fixing the fact that six comedies and six tragedies existed in that year [1598], if not earlier."

Of the eight copies known, only one, that formerly in the possession of Dr. A. S. W. Rosenbach and now in the collection of Mr. Frank J. Hogan, contains the first leaves with their prefatory material. The explanation is to be found, according to Don Cameron Allen ("Introduction," pp. x, xi, to his facsimile edition of *Palladis Tamia*, 1938), in the "Candido Lectori," in which "Meres apologizes to the learned reader for the limited nature of his work and blames this on the printer Burbie's stinginess with paper and his open-mouthed desire for a second edition. One can imagine this letter escaping Burbie, who was probably no Latinist, until some of the edition was sold; however, when it was called to his attention, one can see the irate printer tearing these sheets from the unsold copies. Since the slur was printed on the verso of the page whose recto contained the last part of the epistle to Eliot, it was necessary to remove all of that section too. Hence only those copies that were sold before Burbie noticed the remarks of Meres would have leaves A2, A3, and A4."

In 1634 a second edition appeared, definitely stating that it was a "second

(some not now known even to our best classical scholars) cited out of classical antiquity, (b) much of his historical and biographical information, and (c) much of the miscellaneous information which he used in other sections also than merely the "Comparatiue Discourse, etc." Verbal similarities between *Officina* and *Palladis Tamia* declare for a degree of indebtedness of the one to the other. For instance, compare these.

"As the soule of *Euphorbus* was thought to liue in *Pythagoras*: etc."—*Palladis Tamia*, folio 281^r

"Mutati in Varias Formas Secundum Metamorphosim Poetarum. . . . *Euphorbus* in *Pythagoram*."—*Officina*, col. 413

"As *Sophocles* was called a Bee for the sweetnes of his tongue: etc."—*Palladis Tamia*, folio 281^r

"Appellatur Apis, ob linguæ dulcedinem."—*Officina*, col. 753

"As *Epius Stolo* said, that the Muses would speake with *Plautus* tongue, if they would speak Latin: etc."—*Palladis Tamia*, folio 282^r

". . . ut *Epius Stolo* dixerit *Muras* *Plautimo* sermone fuisse locuturas, si Latine loqui voluissent"—*Officina*, col. 726

Meres's procedure, then, was fairly simple: from collations of classical allusions and from handbooks of universal knowledge he got his classical materials. By introducing, as was frequently done, the classical material by the word "As" and then completing the parallel comparison from the English material, introducing it by "so," he composed the great part of the famed "Comparatiue Discourse of Our English Poets." This procedure did not call for any exacting or scholarly knowledge either of the classics or of English literature of the day. We are on uncertain ground if we accredit Meres with thorough acquaintance with either, let alone with both.

Meres's comments on Shakespeare, accordingly, should be accepted in the list of the purpose, plan, and execution of *Palladis Tamia*: its purpose was more or less moral; its plan was that of group or mass comparison between the ancients and the moderns; it was the second of a series of four volumes of the compendium or handbook-of-general-information type. It was not written as a judicial critical literary estimate by one of trained critical and liter-

ary judgment as were some others in that day. Evidence is lacking to support Pierce Butler's assertion (*Materials for the Life of Shakespeare*, 1930, p. 73) that "he [Meres] was obviously widely read in the sort of literature then thought to be suited for a scholar and gentleman." Butler very wisely adds, "it is almost equally obvious that he was not a discriminating judge. He knew the good things and praised them, it is true, but

ton's well-known "Poly-Olbion" (1612), described by Meres in *Palladis Tamia* as "Geographical and Hydrographical of all the forests, woods, mountaines, fountaines, riuers, lakes, floods, bathes, and springs that be in England."

A critical examination of the content and purpose of *Palladis Tamia* reveals its seriously religious tone. It is strictly orthodox in its theology; there is much citing of Biblical passages and still more philosophical comment deriving from classical literature; and there are obvious moral inferences galore. The titles and headings in the volume tell the tale: God, Christ, Church, Preachers, Wicked and Ungodly Men, Women (of whom Meres writes, "As Pigeons are taken with beanes, and children intised with Balls: so women are wonne with toyes"), Soule, Heart, Devotion and Doctrine, Education; Vertue, Faith, Hope, Chastity, Abstinence, Perseverance, Humility, Hospitality, Liberality; Silence, Friendship, Honor; Princes, Empire, Power, Lawyers, Vengeance, Reason, Memorie; An Orator, Pronunciation, Wit, Books, Philosophie; Poetry, Poets, A Comparative Discourse of our English Poets, etc. We put our tongue in our cheek at "so *Elizabeth* our dread soueraine and gracious Queene is not only a liberal patrone vnto Poets, but an excellent Poet herselfe, whose learned, delicate and noble Muse surmounteth, be it in *Ode*, *Elegy*, *Epigram*, or in any other kind of Poem *Heroicke*, or *Lyricke*" (folio 284^v). Here, clearly, his critical acumen as a literary critic is warped by the national patriotism of the day, which did constant homage to the Virgin Queen. On the other hand, we catch a glimpse of his moral bias when he writes, "so *Skelto* (I know not for what great worthines, surnamed the Poet Laureat) applied his wit to seurrilities and ridiculous matters, such amōg the Greeks were called *Pantomimi*, with vs *Buffoons*." *Palladis Tamia* passes judgment on more than one hundred and twenty-five Englishmen, but did so in terms of Renaissance group or mass criticism, which must not be taken at its face value.

From other sources than this, how-

he also included almost in the same company things of no account." It is rather obvious that Meres was an ordinary sixteenth-century schoolboy who had learned his lessons well. Certainly a discriminating critic would not have made such a wholesale inclusion: Ben Jonson did not do so. It is not quite correct to say that *Palladis Tamia* reveals the literary taste of 1598 Elizabethan London; rather, it reveals the influence a century or more of handbooks, compendiums, anthologies, and commonplace books had had upon authorship in general treatises of this sort. *Palladis Tamia* is not typically creative literature of the day in the sense that Sidney's *Defence of Poesie*, Marlowe's *Hero and Leander*, and Ben Jonson's odes are. It reveals a method rather than literary taste. While Meres's *Palladis Tamia* is the most elaborate statement about Shakespeare in all contemporary Elizabethan literature, much that is there stated may be applied equally well to Spenser, Sidney, Marlowe, Daniel, and others. *Palladis Tamia* is an example of group or mass admiration and praise for things English, much after the fashion of Dray-

Passionate Pilgrim. Again, neither of these works was entered in the Register of the Stationers' Company. In 1601, on September 7, he cheerfully paid a fine for publishing without a license. On March 16, 1603, he issued *The Anatomie of Sinne*.

The year 1605 was an important one in Jaggard's life: he then acquired a governing interest in James Roberts' printing business, in the Barbican, and soon turned it into a sole interest. From 1605 to 1623 he conducted one of the largest printing businesses in London: in 1611,

the authorship of William Shakespeare, whereas he was the author of but some five of the twenty poems included, was not without precedent. Jaggard's greatest sin was that of publishing items for which he had not secured a license. Otherwise his practices were no more unscrupulous than those of other publishers of the time.

A. A perfect copy of *The Passionate Pilgrim* actually has two title pages: the first and main title page on A^{2r}; and the second on C^{1r}. These two are here reproduced as Document 142.

[DOCUMENT 142]

[TWO TITLE PAGES OF *THE PASSIONATE PILGRIM*, 1599]

[A^{2r}]

THE / PASSIONATE / PILGRIME. / By W. Shakesp^eare. / [Ornament: not a printer's device] / AT LONDON / Printed for W. Iaggard, and are / to be sold by W. Leake, at the Grey- / hound in Paules Churchyard. / 1 5 9 9.

[C^{1r}]

SONNETS / To sundry notes of Musicke. / [Ornament: not a printer's device] / AT LONDON / Printed for W. Iaggard, and are / to be sold by W. Leake, at the Grey- / hound in Paules Churchyard. / 1599.

he became printer to the City of London; in 1618, he issued *A catalogue of such English Bookes as lately have bene and now are in Printing for Publication*, which he promised to continue every six months. A number of imposing folios were produced by him before he issued the First Folio of 1623. His output is quantitative rather than qualitative; never producing work of high rank typographically, he violently denounced any who complained of its defects. *The Passionate Pilgrim* was quite defective as a piece of printing.

Jaggard's issuing, in 1599, the Elizabethan miscellany, *The Passionate Pilgrim*, and his accrediting the whole to

of *Venus and Adonis* for Leake; and in 1598 he printed Shakespeare's *Lucrece* for Harrison. (See Silvanus P. Thompson's "Peter Short, Printer, and His Marks," *Transactions of the Bibliographical Society*, IV, 1898, 103-28.)

This volume is a small octavo in signatures A-D^s, making a total of thirty-two unpagged leaves. The first leaf is blank on each side except for the signature "A" on the recto, unconventionally placed in the middle of the page instead of at the bottom. The actual title page—a very much simplified one—is on the recto of A²; but the verso is blank. The signatures are not numbered in any systematic order: only A¹, A², A⁴, B, B³, C, D are indicated, the remainder being wholly unindicated. The last sheet, D^s, is blank on each side. Only three copies are at present known: one in Trinity College, Cambridge (Capell copy); one in the Folger Shakespeare Library (bound up in the Burton volume); and one in the Huntington Library (Lamport-Britwell copy). The details here enumerated are from firsthand exami-

nations of the Folger and Huntington copies.

The Capell copy in Trinity College, Cambridge, is an imperfect, somewhat soiled copy measuring 4½ by 3¼ inches. The date on the second title page has been cut off by the binder. It is bound up with the 1620 edition of *Venus and Adonis*, which it follows. At the end of the copy is a manuscript note: "Not quite perfect, see 4 or 5 leaves back: so it cost me but 3 Halfpence." This copy, judging by his autograph signature on it, was once the property of "Honest Tom Martin" of Palgrave, the historian of Thetford (1697-1771). This copy was the one used in 1883 for the Griggs-Furnivall facsimile with the "Introduction" by Edward Dowden.

The Folger copy is still more imperfect, though otherwise in good condition: it lacks both title pages. The Huntington copy is a virtually perfect copy measuring 4¾ by 3⅛ inches (24.5 by 16 cm.). It is bound up, in what appears to be a contemporary parchment with tie-strings of the same material, in a small volume containing also the unique 1599 *Venus and Adonis* and *Epigrammes and Elegies* by J[ohn] D[avies] and C[hristopher] M[arlowe], *The Passionate Pilgrim* occupying the intermediate position. The stitch holes show that the three volumes were not originally thus bound together. This copy of *The Passionate Pilgrim* was found in 1867 by Mr. Charles Edmonds in an old upper lumber room at Lamport Hall, the ancestral seat of the family of Sir Charles Isham, Bart., Northamptonshire. In April 1870 Mr. Charles Edmonds published an edited type reproduction (an edition of 131 copies with an excellent Introduction) of this *The Passionate Pilgrim* and the other two rarities bound up with it. In 1893 the volume passed into the hands of the Britwell Library. In 1895 Mr. Christie Miller purchased this copy and permitted Sir Sidney Lee, in 1905, to reproduce it in facsimile. In December 1919 Henry E. Huntington purchased the volume for £15,100.

The ornaments and the imprints of the two separate title pages are identical

in font and in arrangement; the headings only, at the top of each page, are different. This arrangement suggests that two separate groups of material were here intended and that William Shakespeare was to be accredited with authorship of the first group only. The leaves in the little volume are printed on the recto only, the verso being left blank, except that the very last signatures, D⁵-D⁷, are printed on both recto and verso. As it is, the volume is a very small one, with only twenty short poems. The average poem is short enough so that there is an ornament printed across the full width of the page at both the top and the bottom. Two things may be suggested by this printer's arrangement: first, the manuscript being short, the poems were spread out by printing them so as to give the effect of quantity; second, on the last pages (signatures D⁵-D⁷) poems were printed on both recto and verso in order to save using an entire fifth signature or at least some additional odd pages. Printing on recto only, leaving the verso blank, was not common in Elizabethan England: J. P. Collier said he had virtually never seen it. Even with this arrangement the volume remains thin, diminutive. It should be added, too, that though the second title reads "Sonnetts" and "sundry notes of Musicke," there is not a single sonnet (Elizabethan for any short lyric) in this appendix of six poems to the volume, nor are there any "notes of Musicke" to which the poems are to be sung. It may be remarked that, in 1599, Leake issued the songbook *Ayers for Four Voices*, composed by Michael Cavendish. More than one such songbook, with literary contents to which *The Passionate Pilgrim* had very close affinity, had appeared and continued to appear.

B. There is evidence that a second edition of *The Passionate Pilgrim* was issued, though no copy is at present known to exist. The date assigned is 1606. Sidney Lee ("Introduction" to his facsimile, p. 45) holds that there was a second edition. On collating the Trinity College, Folger, and Huntington copies of the First Quarto, some discrepancies appear: in the Folger copy, signatures

B and D agree fully with those in Trinity College and Huntington, but the leaves before B¹ and the six leaves between B⁶ and D¹ are from an unknown edition or issue. Are these leaves from a 1606 (?) second edition? The Folger copy collates: A³-A⁷; B⁸; 6 leaves lacking signature marks; D⁸, the last blank, making a total of twenty-seven unpagged leaves. Moreover, the title page of the 1612 edition definitely asserts that it is the third edition.

C. The title page of the 1612 edition is here given as Document 143.

This third edition, with both title page and contents augmented—just twice the size of the 1599 first edition—

cal examination of the two Malone title pages, here reproduced in facsimile by arrangement with the officials of the Bodleian Library, shows that: they are actually set up in different fonts; lines and words are differently spaced; twice periods are used in the one and not employed in the second.

The curious appearance of two title pages in the Malone copy is plausibly explained from contemporary circumstances. When Jaggard published the 1612 edition of *The Passionate Pilgrim*, he filched translations of two of Ovid's epistles from Thomas Heywood's *Troia Britanica*, which he [Jaggard] had published in 1609, and assigned them to

[DOCUMENT 143]

[TITLE PAGE OF THE *PASSIONATE PILGRIM*, BEARING
NAME OF "W. SHAKESPERE," 1612]

THE / PASSIONATE / PILGRIME / OR / *Certaine Amorous
Sonnetts, / betweene Venus and Adonis, / newly corrected and augmented / By W. Shakespere. / The third Edition. / Where-unto is
newly added two Loue-Epistles, the first / from Paris to Hellen,
and / Hellens answer backe / againe to Paris. / Printed by W. Iaggard. / 1612. /*

is an octavo in signatures A-H⁸, making a total of sixty-four unpagged leaves, the first of which is blank. There are no signature marks. Only two copies have come to light: (1) The John E. T. Loveday of Williamseote, Banbury, copy, 4¹¹/₁₆ by 3¹/₂ inches, discovered in 1882, is now untraced. This copy, says Lee (1905 facsimile, p. 56), has "By W. Shakespere" and bears an owner's signature "e libris Jac: Merrick e. coll. Tr: Oxon 1738." (2) The Bodleian (Malone) copy. This volume has a manuscript note dated October 22, 1785, and signed "E. M." which shows that Heywood's translations from Ovid in this volume were assumed to be by Shakespeare until Dr. Farmer, in 1766, pointed out their correct authorship. The Malone copy measures 4⁷/₈ by 3¹/₁₆ inches. This Bodleian volume has two title pages: the one does not indicate the author, while the other specifically carries the legend, "By W. Shakespere." Criti-

Shakespeare. Heywood, who had been angered previously because of Jaggard's typographical carelessness and because Jaggard had refused to insert a list of "the infinite faults escaped" in *Troia Britanica*, exposed Jaggard's misconduct in his prose *Apology for Actors* (1612). In it he declared, in his "To my approved good Friend, Mr. Nicholas Okes": "Here, likewise, I must necessarily insert a manifest injury done to me [Thomas Heywood] in that worke [*Troia Britanica* which Jaggard himself published in 1609] by taking the two Epistles of Paris to Helen, and Helen to Paris, and printing them in a lesse volume [*The Passionate Pilgrim*], vnder the name of another [William Shakespeare], which may put the world [public] in opinion I might steale them from him, and hee [William Shakespeare] to doe himselfe right, hath since published them in his owne name [that is, under the name of William Shake-

THE
PASSIONATE
PILGRIME.

OR
Certaine Amorous Sonnets,
betweene Venus and Adonis,
newly corrected and aug-
mented.

The third Edition.

Where-unto is newly ad-
ded two Loue-Epistles, the first
from Paris to Hellen, and
Hellens answer backe
againeto Paris.

Printed by W. Iaggard.
1612.

THE
PASSIONATE
PILGRIME.

OR
Certaine Amorous Sonnets,
betweene Venus and Adonis,
newly corrected and aug-
mented.

By W. Shakespere.

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Where-unto is newly ad-
ded two Loue-Epistles, the first
from Paris to Hellen, and
Hellens answer backe
againeto Paris.

Printed by W. Iaggard.
1612.

[Document 143]

Two title pages of the 1612 (3d) edition of *The Passionate Pilgrim*. From the Malone copy in the Bodleian Library, Oxford

spare]; but as I must acknowledge my lines not worthy his [Shakespeare's] patronage under whom he [William Jaggard, the printer] hath publisht them, so the author [Shakespeare] I know, much offended with M. Jaggard that altogether unknowne to him presumed to make so bold with his name." It may be that Jaggard stayed the issue of the volume with "By W. Shakespeare" on the title page, canceled that title page, and inserted in the unsold copies a new one on which Shakespeare's name had been omitted. The Loveday copy has the substitute original title page, and by some happy chance the Malone copy has both title pages. (See Lee's facsimile for discussion of the problem.)

The title of this Elizabethan miscellany was strictly in keeping with Elizabethan convention. Halliwell-Phillipps (*Outlines*, I, 404) declared: "The incongruous title given to this little work must be attributed to Jaggard's own caprice." He then proceeds to quote, as many another scholar has done, Wither's comment in his 1625 *Schollers Purgatory*: ". . . if he [a printer] get any written copy into his powre, likely to be vendible, whether the author be willing or no, he will publish it; and it shall be contrived and named also according to his own pleasure, which is the reason, so many good bookes come forth imperfect and with foolish titles;—nay, he oftentimes gives bookes such names as in his opinion will make them saleable, when there is little or nothing in the whole volume suitable to such a tytle." From Richard Tottel's alliterative *Songs and Sonnets* (1557; *Tottel's Miscellany*) to the 1599 alliterative *The Passionate Pilgrim*, alliteration was the prevailing custom in titles of miscellanies. (See chapter lxxxi, Volume II, for a list of such works.) Jaggard's title may be artifice but not unhappy or inappropriate artifice. It is actually an excellent title: Elizabethans understood its significance, even if moderns do not relish it.

"Passionate" meant "amorous," "warmly and ever constantly devoted," "yearning and longing in love." It was a conventional Elizabethan epithet ap-

plied to a lover of a poet of pastoral poetry. "Pilgrim," "one deeply devoted (in life or on a pilgrimage) to some saint, to some shrine, or to some lady love." Romeo in *Romeo and Juliet*, when he first approaches Juliet in Act I, addresses her as a holy saint. He even kissed "by the book." Indeed much of Shakespeare's deeper love-making is after the religious manner (even cult) of worship of the saints. Marlowe's *The Passionate Shepherd to His Love* has a similar connotation. Hamlet addresses Ophelia as a worshiper might approach his patron saint. While the title, *The Passionate Pilgrim*, does not apply to any particular poem in the volume nor to the content of the volume as a whole, it is no more inappropriate as a title than were many others affixed to Elizabethan miscellanies. It had selling value, and that is what the Elizabethan publisher desired above all things. The extreme rarity of the volume today (only three copies of the 1599 issue, no copies of the second edition, and now only two of the 1612 third edition) suggests both exhaustive sale and persistent use. On the other hand, editions in 1599 [n.d.], and 1612 appear to have rendered any further printings unnecessary. Of course, it should be remembered that after 1602 Elizabethan miscellanies very rapidly subsided.

Moreover, *The Passionate Pilgrim* was distinctly a conventional Elizabethan miscellany and nothing more. Since *Tottel's Miscellany* of 1557—itsself definitely modeled upon the popular classical example, the *Greek Anthology*—miscellanies or anthologies had appeared in numbers and on almost every conceivable subject. Even such volumes as Meres's *Palladis Tamia* were after this fashion. The Elizabethan literary world was flooded with them. Miscellanies were but printed copies of the manuscript commonplace books which the Renaissance rather expected every gentleman of taste to compile. Hundreds remain today in their original manuscript form as evidences of the practice and as testimony to individual tastes. Such printed miscellanies of commonplace books were of poems, epigrams,

sonnets, elegies, Latin quotations, Biblical phrases, moralizing precepts, translations, ballads, political tracts, miscellaneous prose excerpts, medical notes, genealogies, and what not. More often these anthologies were of the same kindred materials; but not infrequently they included almost every conceivable sort of material. If such a miscellany was mostly a single author's work, it was a collection; if it was a grouping of several authors' works, it was a miscellany; and if it was a collation of many excerpts rather than complete poems it was a dictionary. Thus Robert Allot's *English Parnassus* (1600) was a dictionary. Timothe Kendall's translations, *Flowers of Epigrammes* (1577), and Nicholas Breton's *Bowre of Delights* (1591) were collections; and "R.S." [?] *The Phoenix Nest* (1593), Richard Edwards' *The Paradyse of Dainty Deuices* (1576), and Tottel's *Songs and Sonnets* (1557) were miscellanies. *Tottel's Miscellany* contained 310 poems: 97 by Wyatt, 40 by Surrey, 40 by Grimald, 2 by Thomas Vaux, 5 by miscellaneous authors, and 126 still unidentified as to authorship. Often no authors' name was affixed to any of the content of the volume. Richard Edwards' *The Paradyse of Dainty Deuices* (1576) is a case in point. He died in 1566; but Henry Disle, the printer of the volume, states in the preface: "I am bold to present unto your honor this small volume, entitled *The Paradise of Dainty Deuices*, being penned by diuers learned gentlemen, and collected together through the travail of one of both worship and credit, for his private use." Not infrequently, the name of the author of a few of the contents, though not the author of all the text, was given to the entire volume. This was the result when, in 1591, Richard Jones issued Nicholas Breton's *Bowre of Delights*.⁴ The next year, 1592, Breton, in his *Pilgrimage to Paradise*, made clear the facts with regard to the *Bowre of Delights* (1591): "Gentlemen, there

⁴ Of Breton's volumes but one copy each remains: of his *Brittons Bowre of Delights* (1591) only the Britwell copy; of his *Arbour of Amorous Deuices* (1594) only the Capell copy (defective and wanting the title page) at Trinity College, Cambridge.

hath beene of late printed by one Richard Ioanes, a printer, a booke of english verses, entituled Bretons bower of delights: I protest it was donne altogether without my consent or knowledge, and many thinges of other mens mingled with a few of mine, for except *Amoris Lachrimae*: an epitaphe vpon Sir Phillip Sydney, and one or two other toies; which I know not how he vnghappily came by. I have no part of any of the: and so beseech yee assuredly beleue." Breton's explanation and protest, for an Elizabethan author in such cases was virtually helpless, were wasted on the desert air: Jones, again in 1594, accredited the whole of *The Arbour of Amorous Deuices* to "N.B. Gent" when he was the author of but six out of the thirty poems. Of the twenty poems in *The Passionate Pilgrim*, Shakespeare was the certain author of but five; yet his name was similarly appropriated to the whole, no doubt, too, without his knowledge.

It is a critical mistake to consider *The Passionate Pilgrim* of 1599 as anything other than an Elizabethan miscellany of amorous poems. At best it does not qualify very high in its class. Certainly it had added nothing to Shakespeare's reputation. Jaggard was a rather new man at the work of publishing; it was in 1594 that he had set up for himself in the publishing business, and it was not until 1605 that he had a print shop of his own. It cannot be asserted that Jaggard came into possession of someone's manuscript commonplace book and printed that; nor can it be certain that he engaged some compiler to prepare the copy for the volume. One thing is clear, however: the general taste displayed in the selections—five or six poems excepted—is not very discriminating. It is not an enchanting volume of poetic delicacies. It does not belong in the class with *Tottel's Miscellany* (1557), *The Paradyse of Dainty Deuices* (1576), *The Phoenix Nest* (1593), and *England's Helicon* (1600), which last apparently was influenced by *The Passionate Pilgrim*.

A critical re-examination of the content of *The Passionate Pilgrim* and col-

lation of scholars' evaluations suggest that the following conclusions may be ventured with a degree of confidence: Of the twenty poems (not numbered in the volume) in the whole, only five (i, ii, iii, v in Part I, and ii in Part II) are definitely Shakespeare's; four are definitely by Griffin (xi of Part I), Barnfield (viii in Part I and vi in Part II), and Marlowe and Raleigh (v in Part II); and eleven (iv, vi, vii, ix, x, xii, xiii, xiv in Part I and i, iii, iv in Part II) are still unidentified. The texts of the several poems vary (in some instances markedly so) from other known copies to such an extent that one of four explanations may be advanced: The original from which copy was made was defective; more than common carelessness was indulged in making copy from the originals, whether manuscript or printed; there was carelessness in the print shop when the type was set up; or copy was from rather poor original manuscript copy in circulation after the fashion of Shakespeare's "sugred Sonnets among his priuate friends." The evidence is strong that *The Passionate Pilgrim* was set up from manuscripts in circulation. Obviously Jaggard capitalized Shakespeare's name: he placed at the very head of the volume Shakespeare's two "dark lady" Sonnets (138 and 144), and included three of the Sonnets from *Love's Labour's Lost*, placing them in positions iii and v in Part I and xi in Part II.

The most striking characteristic of the entire collection of poems is its obvious lack of unity. It is a miscellany and not an entity. There is no organic sequence; nor is there any noticeable intended grouping of kindred materials. The volume is divided into two parts (fourteen poems and six poems), each with its own title page; but the two groups have no organic relation to each other. One might even conclude that Part II was an afterthought. Even the three sonnets from *Love's Labour's Lost* are not placed in sequence—it may be that Jaggard did not know they were from the same source—nor is their placing any part of an organic scheme. The so-called *Venus and Adonis* poems (iv, vi,

ix, xi, in Part I) are not in sequence; nor is their placing the result of any organic plan. Indeed their own time-sequence in their content requires that their order should be vi, iv, ix. Moreover, the poems in the six-line *Venus and Adonis* stanza form are scattered hit-and-miss throughout the volume—vii, x, xii, and xiv in Part I, and iv in Part II. In fact, the poems of the volume could be placed in almost any other miscellaneous order, Shakespeare's initial poems excepted, and the result would be virtually the same. Jaggard's one thought must have been identical with that of the publisher of the 1622 quarto (Q1) of *Othello*: "The author's name is sufficient to vent his work."

The period 1597–1600 was far and away the most conspicuous period of published notices and of issued quartos in Shakespeare's entire career. Forth they came in rapid succession, crowding on one another's heels. William Jaggard was the Elizabethan publisher, rather new and inexperienced in the game, who made most of the opportunity and placed before the public this rather commonplace miscellany, *The Passionate Pilgrim*, with the alluring name of William Shakespeare on its title page.

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LIII

THE DRAFT FOR THE IMPALEMENT OF THE ARDEN ARMS ON THE SHAKESPEARE ARMS, 1599

THE College of Arms in London has a single paper folio approximately 11¾ by 7¼ inches, MS R. 21 (formerly G. 13), which is a draft for the impalement of the Arden arms on the Shakespeare arms. The document is in a good state of preservation, despite slight mutilation of the ends of two lines in the lower right corner. Its 28 lines are written the long way of the folio. Obviously this draft is preliminary to a "fair" copy to be signed and sealed and then delivered to John Shakespeare; it is not known if such a grant, impaling the Arden arms on the Shakespeare arms, was ever executed and delivered, for no

final signed and sealed draft has come to light.

The interlineations, deletions, and corrections, as well as the trickings in the upper left margin, are in the same handwriting as the body of the manuscript. This hand, too, is the same as that of the two drafts of the 1596 coat of arms; that is, the two drafts of the 1596 grant and this rough draft of the 1599 impalement were written by the same person, no doubt a clerk in the College of Arms. Tucker, in his *Assignment of Arms to Shakespeare and Arden, 1596-99* (1884, p. 9), has a reduced facsimile, in color; J. W. Walter's *Shakespeare's True Life* (1890, p. 53) printed a re-

duced facsimile; 2 *Miscellanea Genealogica et Heraldica* (I, 109) printed a natural-size facsimile; and E. I. Fripp's *Shakespeare Studies* (1930, pp. 98-99) reproduced the small facsimile of J. W. Walter. The manuscript materials of John Jordan have a "draft" of it also.

Transcripts, of varying degrees of accuracy, are in J. Hunter's *New Illustrations of Shakespeare* (1845, I, 20), in Halliwell-Phillipps' *Life of William Shakespeare* (1848, pp. 79-80) and *Outlines of the Life of Shakespeare* (1882, II, 60-61), in Tucker's *The Assignment of Arms to Shakespeare and Arden, 1596-99* (1884, pp. 9-10), in D. H. Lambert's *Shakespeare Documents* (1904, pp.

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The exact date of this manuscript cannot be determined from the text, for there is mutilation of the lines which no doubt contained the date. The regnal year is given as "xlij^{te}" and "1599" appears at the end of the document; hence the date must have been between November 17, 1599, when Elizabeth became Queen, and March 24, 1600, the last day of the old year, according to the new style of dating, sometimes expressed 1599/1600. It should be noted, too, that this document was prepared by William Dethick and William Camden, Dethick alone having prepared the 1596 grant and the learned Camden having been appointed to the College of Heralds as Clarenceux in 1597. The transcript here given as Document 144 is directly from the original in the College of Arms, through the kindness of Arthur Cochrane, Chester Herald in 1925-26, and from an especially executed, full-size photograph of the original. The facsimile in this work is reproduced by special permission of the College of Arms.

No study of this document is complete without careful notation of the erasures and interlineations. Accordingly, a literal transcript is here printed with the words spelled out in full—the necessary added letters being enclosed in brackets. It will be noted that this manuscript, like the copies of the 1596 drafts, includes many periods in its punctuation—evidence that the document was written by items, which were separated and emphasized by such periods. Additional information, as it was presented to the heralds, was then inserted and interlined between the period units.

There is nothing about this impalement to give it individuality or to make it different from thousands of others. (1) The first twenty lines—the entire document has but 28 lines!—are virtually a word-for-word reiteration of the 1596 draft of grant to John Shakespeare (see facsimile and also Document 144).

(2) The next five lines impale the Arden arms on the Shakespeare arms. (3) The last two and a half lines execute and date the document. This repetition of the 1596 grant in this impalement has given rise, because of utter lack of understanding of such documents, to the statement that the 1596 grant was not allowed and hence a second application was made—and that neither application was successful. Others have held that the 1596 grant was not allowed but the 1599 grant of Shakespeare's arms was. It should be remembered that there could not possibly have been an impalement of any arms unless there had been some previously granted arms on which to make that impalement; that is, the Arden arms could not possibly have been impaled on the Shakespeare arms if the grant of 1596 had not actually been made. This 1599 document actually asserts that arms had been granted to John Shakespeare. Accordingly, an exemplification of any impalement was made in the record of the College, and in the new grant of impalement mention was made of the previously awarded coat of arms. An exemplification (see the 1597 exemplification of the fine recording Shakespeare's purchase of New Place, chapter xli, page 237) was an official acknowledgment, certification, and record of an earlier lawful transaction. Such an official record always repeated virtually verbatim the entire original document it was recording. This 1599 draft of impalement reads: "Assigned, graunted, & confirmed & by these presentes exemplified." No exemplification was ever made unless the act exemplified had actually at some previous time taken place. Such repetition and reiteration—dubbed "dull legal lumber" by some investigators—is found in every old deed, lease, fine, and similar document.

Impalement of one arms on another always meant that there was a marriage between the families bearing the two coats. Accordingly, in grants of impalement the arms of each family were described virtually verbatim from the original grant. In this 1599 impalement, then, should be found the approximate description of Shakespeare's arms which

mutilation has unfortunately deleted from the 1596 second draft (see chapter xxxvii, p. 211). Moreover, such an impalement always restated the grounds on which the grant originally was made—in this instance the basis on which arms were allowed to John Shakespeare. These grounds in the 1599 impalement may be taken, with a reasonable degree of certainty, as the grounds on which a coat of arms had been awarded to John Shakespeare.

No description of arms can be accurately read and understood unless one has a degree of familiarity with the conventional phrases and diction in which a description of a coat of arms was expressed in a grant.¹ The following are the more familiar terms:

achievement. The correct term for the entire emblazonment. The main parts are (1) the *shield* proper and (2) the *crest*. The *helmet* was a matter of inherent right; the *mantle* was conventional; and the *motto* was optional.

argent. "Silver of a dull unburnished color," in contrast to brilliant white and polished silver. Conventionally represented by a white surface.

armed. "Having a sharp point" (not a blunt head), as of spears, arrows, etc.; see also under *falcon*.

armlet. Bracelet or armor for the arm; distinguished the fifth son.

azure. "Blue."

belled (see under *falcon*).

bend. [O. F. *bender*, "to stretch forth"] A "belt," a "band." Commonly, in width, it is about one-third (if *charged* as in Shakespeare's) the area of the shield and extends diagonally from one upper corner to an opposite lower corner near the bottom. If the upper end is at the right (*right* of the one who bears the shield), the bend is called *dexter*; if the upper end is at the left, it is called *sinister*. A sinister bend exemplifies illegitimacy. If a bend is not "charged," then it is about one-fifth the width of the shield.

blazon. "To describe a given coat of arms" or "the actual description" of it; has no

¹ The best comprehensive treatise on heraldry is A. C. Fox-Davies' *A Complete Guide to Heraldry*, revised edition, 1929. Other critical volumes on the subject are listed in the bibliography appended to the discussion of the 1596 grant, chapter xxxvii, pp. 216-17.

[DOCUMENT 144]

[DRAFT FOR IMPALEMENT OF THE ARDEN COAT OF ARMS ON THE SHAKESPEARE COAT OF ARMS, 1599]

To all and Singull[er] Noble and Gentilme[n] of ~~wha~~ all estat[es] & degrees bearing Arms. To whom these present[es] shall com[e] Will[ia]m Dethick Garter. principall king of Arms of England and Will[ia]m Camden al[ia]s Clarenticulx king of Arms. for the Sowth, East and west p[ar]t[es] of this Realme sendethe greeting[es]. Know yee. That in all nations and kingdoms the Record & remembranc[es] of the valeant

^{-valeant-or} fact[es] & verteous dispositions of ^{late} ^{the} ^{most} ^{prudent} Prince ^{late} ^{the} ^{most} ^{prudent} Prince worthie men have ben made knowe[n] and divulged by certeyne Shield[es] of Arms & tokens of Cheualrie. The grant & testamonie wherof apperteyneth vnto vs by vertu of our office fro[m] the Quenes most Exc[ellent] Ma[ies]tie & her highenes most noble & victorious Progenitors. wherefor being solicited and by credible report informed. That John. Shakespere. nowe of Stratford vppo[n]

Avon in the Counte of warwik Gent, whose parent ^{great} ^{Grandfather} ^{late} ^{was} ^{Antecessor} ^{for} his faithfull & approved service

to ^{late} ^{the} ^{most} ^{prudent} Prince ^{late} ^{the} ^{most} ^{prudent} Prince king H. 7 of ~~most~~ famous memorie. was advaunced & rewarded w[i]th Land[es] & Tenement[es] geven

to him in those p[ar]t[es] of warwikeshere where they have continewed by ^{some} ^{descent} ⁱⁿ good reputa- And for that ^{produced} ^A ^{certeyne} ^{Cote} ^{of} ^{Arms} ^{heretofore} ^{Assigned} ^{vnto} ^{him} ^{whilst} ^{he} ^{was} ^{somtyme} ^{Baylefe} ^{of} c[i]o[n] & credit ^{The} ^{said} ^{John} ^{Shakespere} ^{having} ^{maryed} ^{the} ^{daughter} [&] ^{one} ^{of} ^{the} ^{heys} ^{of} ^{Robert} ^{Ar}

den. of welling Cote in the said Countie. And also produced ^{this} ^{his} ^{Cote} ^A ^{uncient} ^{of} ^{Arms} ^{heretofore} ^{As} signed to him whilst he ^{her} ^{malies} ^{ltes} ^{officer} ^{of} ^{the} ^{premisses} ^{whereof} ^{And} ^{for} ^{the} ^{encour}

ageme[n]t of his posterite vnto whom suche Blazon of Arms [&] ^{Atchevement} ^{of} ^{inheritance} ^{from} ^{theyre} ^{said} ^{mother} ^{by} ^{the} ^{auncyent}

Custom & Lawes of Arms maye ⁱⁿ ^{this} ^{Realme} ^{lawfullye} ^{descend} ^{we} ^{the} ^{said} ^{Garter} ^{and} ^{Clarenticulx} ^{have} ^{by} ^{these} ^{pates} ^{As}

signed, graunted, & confirmed [&] ^{by} ^{these} ^{presentes} ^{exemplified} ^A ^{vnto} ^{the} ^{said} ^{John} ^{Shakespere} ^{and} ^{to} ^{his} ^{posterite} ^{that} ^{Shield} [&] ^{Cote} ^{of} ^{Arms}

which ^{he} ^{produced} ^{Viz} ⁱⁿ ^A ^{field} ^{of} ^{Gould} ^{vppon} ^A ^{Bend} ^{Sables} ^A ^{Speare} ^{of} ^{the} ^{first} ^{the} ^{poynt}

vppward hedded ^{with} ^{Steele} ^{Argent} ^{Argent} ^{And} ^{for} ^{his} ^{Creast} ^{or} ^{Cognizance} ^A ^{ffalcon} ^{w[i]th} ^{his} ^{wyng} ^{es}

displayed. standing on A wrethe of his Coullors. Supporting A Speare ^{Armed} ^{or} ^{Sylver} ⁱⁿ ^{pale} ^{hedded} [&] ^{Steeled} ^{Argent} ^{fyxed}

vppon A helmet w[i]th mantell[es] & tassell[es] ^{as} ^{more} ^{playnely} ^A ^{appare} ^{depicted} ^{on} ^{this} ^{Margent} ^{And}

^{under} ^{the} ^{same} ^{we} ^{have} ^{likewise} ^v ^{vppo} ⁿ ^{on} ^{other} ^{escucheone} ^{the} ^{said} ^{the} ^{same} ^{w[i]th} ^{the} ^{Auncyent} ^{Arms} ^{of} ^A ^{Arden} ^{of} ^{Willingcote}

^{as} ^{aforsaid} ^{maye} [&] ^{Signefeing} ^{therebye} ^{That} ^{it} ^{shalbe} ^{Lawfull} ^{for} ^{the} ^{said} ^{John} ^{Shakespere} ^{gent} ^{to} ^{bear} [&] ^{vse} ^{the} ^{same} ^A ^{Single}

or impaled as aforsaid during his naturall Lyffe: And that it shalbe Lawfull for his childe[n] ^{Yssue} [&] ^{posterite}

(Lawfully begotten) to beare vse & quarter [&] ^{shewe} ^{forthe} ^{the} ^{same} ^{w[i]th} ^{theyre} ^{dewe} ^{differenc} ^{es} ^{for} ^A ^{all} ^{Lawfull} ^{war}

lyke fact[es], and Ciuile vse or exercises, according to the Lawes of Arms & Custome that to Gent. belongethe. w[i]thout let or Interruption of any p[er]son or p[er]sons for vse or p[er]sons bearing the same. In wyt

nesse & testemonye wherof we hav[e] subscribed our Names & fastened the Seales of our offic[es]. Yeuen at the office of Arms Londo[n] the..... in the xlije^{te} yeare of the reigne of our Most gracious

Sou[er]aigne Ladye-Elizabeth by the grace of God.....ffrance & Ireland defender of the

faythe etc.

reference in itself to splendor. "*Enblazon*" = "to depict in color"; "blazoning" pens are those which describe effectively in color.

cadet. "A younger son" or "a younger brother" (*cadet* < L. dim. of *caput* = "head": "a little head," a younger son or younger brother).

charge. Any device, form, or design, which specifically differentiates one thing from another: stag head, talbot, martlet (for the fourth son), cross, roses, luces, portcullis, titling-spear (Shakespeare), crescent, horseshoe, fleur-de-lis, escallop, boar (Francis Bacon), bear (Barnard), fox (Fairfax, Colfax), calves (Veal). A *charge* on a *bend* increases the size of that bend from one-fifth to one-third. The *charge* is described *second* after the *field* is described.

chequey. "Checked"; that is, made of squares of regularly alternating colors.

chief. Upper division of a shield.

Clarenceux (see under *Gar*ter).

close (see under *falcon*).

cognizance. Any specific heraldic device, similar to the crest allowed in a grant of arms, worn on the liveries of the members of a retinue, on ensigns, on banners, etc. Shakespeare's own dramatic company, The King's Men, wore Royal *cognizances* on their liveries.

colors. The first-named color ("of the first" is the conventional description in a grant) plus the second or dominant color. The first color is a *metal* color; the other colors are *tinctures* (q.v.). It was a law of heraldry that no metal should be placed on metal, no color on color (*tincture*).

crescent. Increasing moon with horns up; distinguishing a second son.

crest. "The topmost figure placed above the shield and above the helmet, standing on a wreath of the colors." Crests were important parts of a coat of arms: a crest was second only to the shield. They often symbolized the name, or the spirit of the family bearing the arms: eagle, falcon (Shakespeare), boar's head, serpent, crown, chapeau, goat's head, boar, calf. The Bedford family had a goat for a crest; Beaufort, a portcullis; Roach, a fish; Lucy, a fish (pike); Wellington, a lion carrying a flag; Swinburne, a swine; and Bacon, a boar.

cross. "Emblem of Christianity." St. George's, St. Anthony's, Pattée, Moline,

Voided, Formée, Saltier, or Crossletted. Crosses appear as emblems before Christianity and before heraldry. Crusaders emphasized the cross. A *cross moline* distinguished an eighth son.

crosslet. A cross with its upper bar and its two transverse bar ends made into little crosses.

dexter. "Right," from the point of view of the one who bears the arms; extending from bearer's right across shield.

difference ("for a difference"). The *charge* (or special device) which differentiates one coat (similar in general) from another coat. See *martlet*.

disclosed (see under *displayed*).

displayed. Both wings (of a bird) extended and their upper points directed somewhat upward. The bird is standing still with its outstretched wings flat to one's view. If both wings are open but the upper points extend downward, they are described as *disclosed*. If both wings are carried with their upper tips drooping they are identified as *reversed*. If both wings are raised vertically with the tops quite thrown back so as almost to touch each other, they are termed *erect*. If in position prepared for flight, they are *roussant*.

enblazon (see under *blazon*).

erased ("heads erased"). "Cut off."

erect (see under *displayed*).

ermine. "White."

falcon. A bird. The falcon was next to the royal eagle in importance as a heraldic crest. Eagle, falcon, pelican, ostrich, dove, swan, martlet, cock, crane, stork, peacock, heron, owl, popinjay, were birds used as crests. A falcon, for all its unclean habits, was a very important bird in social life: there were schools of falconry and an intricate grammar of falconry. Described as *close* meant standing naturally in profile with wings close to body; *rising* meant with wings elevated and "ad-dorsed"; *displayed* (as in Shakespeare's coat) meant with wings outstretched and opened flat to the viewer with their tips upward but not turned back over the back. *Belled* meant with a tiny bell on one of its jesses; *vervelled* meant with small rings attached to the end of the jess; *armed* meant beaked and legged; *hooded* meant blindfolded with a little hood; and *trussing* meant preying on its victim. The falcon exemplified freedom from irritability, a spirit

of calm restraint. It was one of the badges of Edward IV, father-in-law of Henry VII, the king that the 1596 grant says advanced and rewarded the ancestors of John Shakespeare. Queen Elizabeth employed the device of the falcon, just as did Anne Boleyn her mother. Some writers on heraldry declare that the falcon symbolized virility and activity.

fess. A crossband extending horizontally across the center of the shield about one-third the width of the height of the shield, across the shield somewhat above the middle of the field.

field. The general scope of the shield. Its chief color is described first. In Shakespeare's coat of arms it is "*Gould*." The "*charge*" is described second.

first. "Spear of the first," "of the *first color*" named in a description in a grant. In Shakespeare's 1596 grant, the first color is "*gould*."

fitchée. "Sharp-pointed at its lower extremity," describing a cross.

fleur-de-lis. Conventionalized iris, distinguishing the sixth son.

foot. The lower division of a shield.

*Gar*ter. The principal or chief herald who presided and who, like his associates, wore his crown only at coronations. *Clarenceux*, the herald who represented the south, east, and west parts of England from the river Trent southward. *Norroy*, the herald who represented the remainder of England. Edward II was *Rex Norroy du North*. See Mark Noble's *History of the College of Arms* (1805) for details of the organization of the College. The chief officers of the College were: (1) *Gar*ter, (2) *Clarenceux*, (3) *Norroy*. The *Heralds* were: (1) *Wind*sor, (2) *Chester*, (3) *Rich*mond, (4) *Somerset*, (5) *York*, (6) *Lancaster*; and the *Pursuivants* were: (1) *Rouge Croix*, (2) *Bluemantle*, (3) *Rouge Dragon*, (4) *Portcullis*.

guarded. An animal whose face is turned toward the viewer—its body may be *passant*, *rampant*, or *statant*.

gules. A blood-red crimson color, not a dull or brownish red.

helmet. An actual design of a helmet. It was considered an inherent right and was not described in the grant. It rested directly on the top of the shield—not on a wreath of the colors placed on top of the shield. In the case of a gentleman, the helmet was required to be of

steel, though it might be enriched with gold, and was required to be exhibited in profile with visor closed. A royal helmet was of gold, faced forward, had the visor up. A peer's was of silver.

hooded (see under *falcon*).

impale. To place some *charge* (spear, horseshoe, escallop, etc.) within an enclosure.

impalement. "Placement of one coat of arms upon another." It always means marriage between the two families bearing the respective arms.

in pale. "Placed within an enclosure or pale." A *pale* was made by dividing the field, or the shield, into perpendicular strips by perpendicular parallel lines.

label. A little bar with pendants or points, used as a mark of cadency to distinguish an eldest son during his father's life.

lozenge. An oval or diamond-shaped figure reserved primarily for women; sometimes used instead of a shield.

mantle (commonly "mantles and tassels"). The enveloping and draping (often in scroll form) decorative scroll effects which were designed actually to make the coat of arms stand out more prominently. The mantle took for its colors the first and second colors in the heraldic description. It was not an official part of a coat and was virtually never mentioned in the description in the actual grant. A mantle was a remnant of the long robes of ancient commanders in the field to repel extremes of wet, heat, cold, etc., and to preserve their armor from rust.

martlet. "A bird without feet"; that is, it was the Herald's swallow (English martin), which was thought to have no feet; the exemplification of a fourth son who, because of death, or disqualification of older brothers, came into the headship of the family.

In order, the several sons were heraldically identified by these "*differences*": 1st son, a *label*; 2d son, a *crescent*; 3d son, a *mullet*; 4th son, a *martlet*; 5th son, an *armlet*; 6th son, a *fleur-de-lis*; 7th son, a *rose*; 8th son, a *cross moline*; and 9th son, a *double quatrefoil*.

metal. One of two colors only which were metals: (a) gold and (b) silver.

moline (see under *cross*).

motto. "Word," "reason"; a brief direct phrase or sentence, a sort of maxim or philosophic precept, frequently exemplifying the spirit of a family or some-

times a punning and aphoristic interpretation of a family name. The word "motto" is modern. Mottoes were originally not a part of a coat of arms; indeed, they were a late addition. One is virtually never mentioned (see Fox-Davies, p. 448) in the grant itself; they commonly represented the personal whim, bias, or imagined prowess of the bearer or of the family. Perhaps some few mottoes came into use from a *cri-de-guerre*: "Esperance" of the Percys; "D'Accomplir Agincourt" of the Montmorencys. Mottoes were never hereditary and were not a part of the "estate" created by the letters patent granting the arms. Thus the motto for Barnard was "Bear and Forbear" and also, sometimes, "Fer et Pefer"; for Davies, "Da fydd"; for Seton, "Let on"; for Fortescue, "Forte scutum salus ducum"; for Cavendish, "Cavendo tutus"; for Roche (Lord Fermoy), "Mon Dieu est ma roche"; for Winlaw, "What I win I keep"; for Liberty, "Libertas"; for Sir William Crooks, "Ubi crux ibi lux"; for Bardwell, "Bear thee well"; for Garbett, "Gare la bête"; for Cave, "Cave Deus videt"; for Prussia, "Gott mit uns"; for Curzon, "Let Curzon hold what Curzon held"; for Corbet, "Deus pascit corvos"; for Southampton, "Ung par tout, tout par ung"; and for English royalty, "Dieu et mon Droit."

The Shakespeares utilized what may have been actually a personal family conviction: *Non sans droict*, "Not without right (or justification)."

mullet. Distinguishing a fourth son.

Norroy (see under *Garter*).

or. Gold of a dull color in contrast to brilliant and polished gold. Conventionally it was represented by black dots on a white surface. *Or* (gold) and *argent* (silver) were the only metal colors employed in heraldry. The other colors were *tinctures*.

pale. A broad stripe running the length of the shield.

passant. An animal prowling with its head not erect, with all its feet on the ground, and with its tail up over its body.

proper. The conventional or natural shape, color, or design of any figure or article in any heraldic description. *Proper*, in a description, meant that any figure, charge, or device mentioned in the grant was to be shown as having its natural or conventional shape, color, or design.

purple. Purple.

quarter. Any one-fourth of the whole of any shield. Quarters read 1, 2, 3, 4—at top from left to right and then below, from left to right. Quartering was important only when the wife was an heiress.

quatrefoil. A conventional representation of a flower with four leaves; a *double quatrefoil* distinguished a ninth son.

rampant. Animal erect, with one forefoot touching the ground, and the other clawing the air in noble rage.

regardant. An animal walking but looking back over its shoulder.

rising (see under *falcon*).

rose. Distinguishing a seventh son.

roussant (see under *displayed*).

sable. A dull black in contrast to a shiny or glossy black.

salient. An animal with hind paws together on the ground and fore paws together in the air.

shield. The oldest and the most important part of a coat of arms. Without a shield there can be no coat: it is the essential coat. It may be halved, quartered, pale, or bordered. The shield was the "field." Sometimes the field was plain and had no charge. The black outline was no part of the shield: only the first color was the "field": the older heraldry knew no lines but only color. The upper division of a shield was the "chief," the lower division the "foot."

sinister. Left, from bearer's point of view.

statant. An animal on all fours and with the forefeet together braced forward.

steeled. The sharp point or head of the spear. This was represented by white to indicate steel but did not mean that the entire spear was of steel.

support. Figures of animals, men, griffins, or birds, on each side of a shield, supporting that shield; decorative only, and not a regulation part of a grant.

tassel. See under *mantle*.

tincture. "Any of the colors or metals used in heraldry." The two metals are gold (called *or*) represented in engraving by a white surface covered with small dots; and silver (*argent*) represented by a plain white surface. The chief colors are represented as follows: red (called *gules*), by a shading of vertical lines; blue (*azure*), by horizontal lines; black (*sable*), by horizontal and vertical lines crossed; green (*vert*), by diagonal lines from dexter chief

corner; purple (*purpure*), by diagonal lines from sinister chief corner. The names of *or* and *argent* are not found in English blazonry before the late sixteenth century.

tilting-spear. A spear with a funnel-shaped projection (vamplate) over the handle. It always had a sharp point as for warfare, never a blunt head such as that used in a tournament.

torse (see under *wreath*).

trick. To illustrate, as in the margin of a grant, by an outline of the design of the coat and to indicate the first and second colors. Trick (noun), the picture of arms in outline and indicated colors.

trussing (see under *falcon*).

upward headed. Borne vertically with the head or point at the top.

vert. Green.

vervelled (see under *falcon*).

visitations. The perambulations of representatives of the College of Arms out into the country for the purpose of pulling down and defacing improper arms and recording arms properly borne and granted by authority. The representatives also encouraged applications for arms. The Harleian Society has published many reports of visitations.

wreath (wreath of colors) or *torse*. A twisted (not braided) band composed of two strands of silk representing alternately the principal metal and the principal color (see Fox-Davies, p. 406) given in the description of the arms in the grant. In Shakespeare's 1596 grant the wreath was of gold and sable. Conventionally there were six twists: the first draft (1596) of Shakespeare's grant has only four of such twists in its tricking; the second draft (1596) has but five. The 1599 Arden impalement has the required six. A wreath was placed not on the top of the shield but on the top of the helmet, and then served as a base for the crest. The wreath should fit close to the crest, the objective being to hide the joining of the crest and helmet.

A correct description of the Shakespeare family arms may be secured from a careful collation of the description in the 1596 draft and the 1599 document. The revised copy of the 1596 description reads thus:

Gould. on A Bend Sables. a Speare of the first steeled argent. And for his Crest or Cognizance a falcon his winges displayed Argent. standing on a wrethe of his Collors. supp[or]ting A Speare Gould. steeled as aforesaid sett vppon a hel- w[i]th & tassell[es] mett and mantell[es] as hathe ben accustomed and dothe mor[e] playnely appeare depieted on this margent:

The 1599 impalement reads:

in A field of Gould. vppon A Bend Sables. A Speare. of the first the poynt vppward proper hedd[ed] with Steele Argent Argent And for his Crest or Cognizance. A falcon. w[i]th his wyng[es] displayed. standing on A wrethe of his Coullors. Supporting Armed or A Speare in pale. hedd[ed] & Steele. Sylver Argent. fyxed vppon A helmet w[i]th mantell[es] & tassell[es] as more playnely appeare depieted on this Margent.

The description in a heraldic emblematonry was always in the following order:

1. The color (metal) of the "field" or the shield as a whole, that of the Shakespeares being "Gould"—gold.

2. A bend, Shakespeare's being *dexter*, that is, from the top left corner to the opposite bottom right. If it had been sinister, it would have been so indicated in the description and would have indicated illegitimacy.

3. The second color (here sable, a dull black color: but not shiny black).

4. The next item is the charge (the special thing which differentiates the one coat from any other similar coat), here a tilting-spear in the tricking. This spear was "of the first," that is, of the color first mentioned at the outset of the description of the coat of arms; here, then, it is "Gould."

5. The next item is the position of this spear: it is "vppward hedd[ed]," that is, the right upper part of the bend was to be the position of the point of the spear.

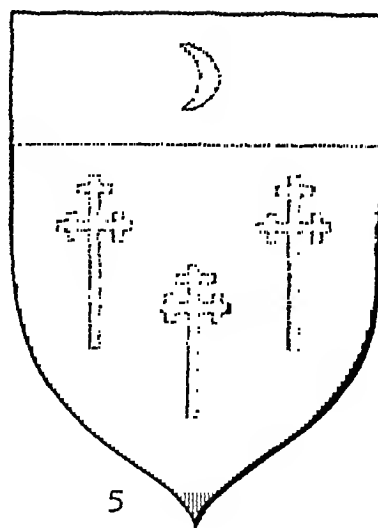
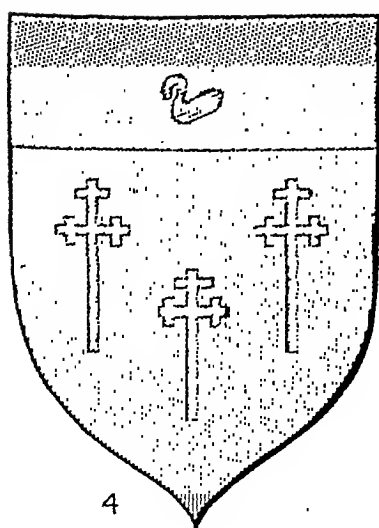
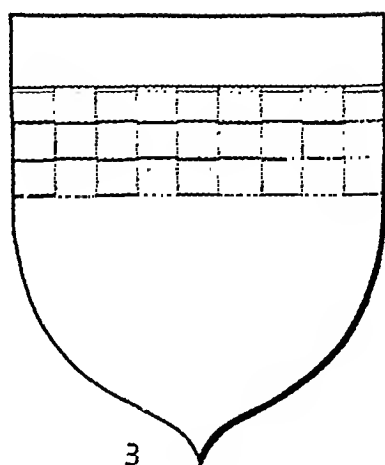
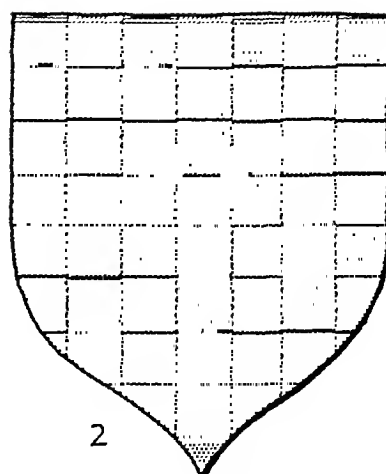
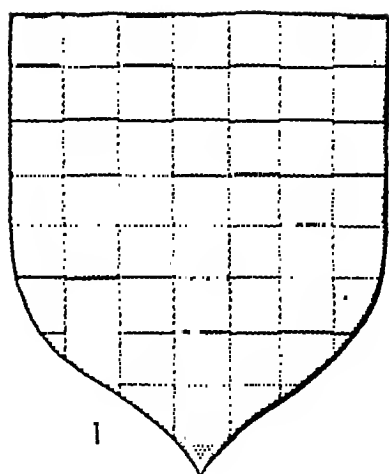
6. The next item is the point of that spear, which was argent or silver.

7. The next item is the crest (a figure placed on top of the helmet above the

wreath of colors), a falcon² (symbolic of restraint and repose from irritability or excitement). (a) The falcon's wings are "displayed" (opened flat to one's view as one looks at it, and the points of its wings up but not over its back). (b) The falcon was colored silver. (c) The falcon was standing (on one talon) on a wreath of colors. (d) The falcon was supporting (with its other talon) a spear. (e) That spear was gold (as it was on the bend). (f) That spear was "armed" or "hedded" as aforesaid—that is, its point was silver as on the bend.

8. The wreath of colors. No description is given of the wreath of colors, and none was needed, for heraldry had long since prescribed of what and in what manner it should be made. First it was made of the two important colors of the coat: the one always the first color (a metal) named in any description, here gold; the second, always a tincture, here dull black. These two colors, in the manner of two colored silk strands, were twisted so as to make six (three of each) alternating colors. The wreath, then, was gold and sable—not gold and silver as some give it. Tannenbaum (*The Shakespeare Coat-of-Arms*, 1908, p. 17), on the arrangement of the colors of the wreath, is clearly incorrect if A. C. Fox-Davies (*Complete Guide to Heraldry*, p. 406) is correct. The latter states: "As always officially painted it must consist of six links alternately of metal and color, of which the metal must be the first to be shown to the dexter side."

²Says F. G. Fleay (*Shakespeare Manual*, 1876, p. 311): "Here is the spear plain enough, but where is the shake?" The "wyng[es] displayed" of the falcon actually appear to furnish the explanation. Lady Juliana Berners' work *The Book of Hawking, Hunting and Blasing of Arms* (1486), enjoins her readers never to speak of a falcon that she shakes, but always that she "rouses." "with wyng[es] displayed" means with wings open and up in readiness for flight. This position of wings, in heraldry, was often blazoned as "rousaunt." Ryder's *Latin Dictionary* translates "to rouse" as "*corusco*." The word is defined and exemplified thus: "*Corusco, pallo kradauno, vibro, oculorum acien perstringo*." "To shine, glisten or lighten." "To brandish," c. *gladium vel hastam*, Virg. "to brandish or to shake." This may suggest that the very Latin word used by our ancestors to express the shaking of a spear was also used by them for displaying the wings in heraldry: *Corusco*—rousaunt, displayed. These items are given by Tannenbaum in *The Shakespeare Coat-of-Arms* (1908, p. 18).



Arden coats of arms: (1) Earls of Warwick; (2) Beauchamp family; (3) Park Hall Ardens; (4) Robert Arden family; (5) Arden family of Alvanley in Cheshire

9. For the helmet, no description is given in the document; for none was needed. Again heraldry conventionally prescribed: for a gentleman, as was John Shakespeare, a helmet of steel (gold for royalty), placed in profile (face front for royalty), and with beaver closed (beaver up for royalty). The helmet rested on the top of the shield. Immediately above the helmet was the wreath on which stood the falcon.

10. The mantles and tassels (decorative scrollwork enveloping the helmet and upper corners and sides of the shield) were not described, for they were not an official part of the emblazoning. The mantles here were gold and sable—gold the main color, and sable for the lining.

11. And finally for the motto^a which, again, was not an official part of a coat of arms, the Shakespeares used *Non sans droict*, "Not without right."

It may be noted that in this impalement, the arms of Arden are not identified and described. The phrase merely reads: "we have lykewise vppon on other escucheone impaled the same with the Auncyent Arms of the said Arden. of Willingcote." That the heralds were uncertain as to the correct form (there were several Arden arms) of the Arden arms they were to impale is indicated by the fact that they deleted one and substituted another.

The tricking of the Arden arms in the margin of the 1599 impalement—particularly the deletion of one design and the substitution of another—precipitated many pros and cons. The fact is that the heralds found themselves in a position where they were obliged to indicate a heraldic difference for the Mary Arden family arms, which they did as follows:

1. The family coat of arms of the old Earls of Warwick⁴ was a *field* (or

shield) *chequey* (blocks of alternate colors made by straight lines drawn transversely and perpendicularly on the field) *Az* (*azure* or blue) and *Or* (*or* or gold).

2. The Beauchamp branch of the Warwick family had for its coat the Warwick family coat with an ermine (white) chevron superimposed directly in the center as the "difference."

3. An older branch of the Park Hall Ardens—an Arden family which had connections with the Beauchamp family—had for its coat of arms a field (or shield) of ermine (white), a fesse (a band across the shield above the center), of chequered *Az* (*azure*) and *Or* (*gold*). The form of this fesse will be recognized as from the house of Warwick *via* the Beauchamp family.

This Park Hall Arden coat of arms, with its *fess chequey*, was the one the heralds first tricked on the Shakespeare coat in the 1599 impalement. It was deleted—and rightly so—and another Arden arms properly substituted. C. C. Stopes (*Shakespeare's Family*, p. 31) asserts: "But the reason lay in no breach of connection, but in the fact that Mary Arden was an heiress, not in the eldest line, but through a *second son* [Thomas Arden father of Robert Arden, see chapter vii, above]." In the tricking in the margin of the 1599 draft the new coat is set to the right, outside, the original tricking. It is clear that an attempt was made by the heralds to impale the correct Arden arms. The Earle of Warwick family and its coat were conspicuous and were known to everyone. The Ardens of Warwick were also well known and likewise their coat would have been well known had it been the coat of the Beauchamp-Warwick branch; but because of attain and because of many intermarriages a number of different Arden arms had come into existence. Moreover, there had been Ardens in Warwickshire as early as 1400—before the Ardens of Park Hall; that is, there were Ardens in Warwickshire other than those of Beauchamp-Warwick connections.

which he had pulled up, and afterwards he used as a badge 'the bear and the ragged staff'—a device borne by succeeding earls" (C. C. Stopes, *Shakespeare's Family*, p. 230).

Robert Glover's *Complete Body of Heraldry* (1780 edition augmented by Joseph Edmondson, II) identifies one of the other Arden coats thus: "Arden or Arderne gu., three cross crosslets fitchée or; on a chief of the second a martlet of the first. . . ." This says this Park Hall Arden arms was a *field* (shield) *gules* (blood red) but with a *chief* (a band across the top of the shield) *Or* (*gold*). On the shield were three *crosslets* (crosses with the top and each "horizont" crossed so as to form the small crosses) *Or* (*gold*) and *fitchée* (sharp-pointed at the bottom. On the *chief* (band across the top of the field) was a *martlet* (an English swallow or martin which was supposed to have no feet) *Gu* (*blood red*) for a *difference* (that which distinguishes specifically one coat from another). The *martlet* identified a fourth son.⁵ This Arden coat was the one the heralds substituted. Thomas Arden, the second son of the Park Hall Ardens and father of Mary Arden, would have been entitled to a *crescent* for *difference*. But it chanced that the Alvanley (Cheshire) family of Ardens had for a long time borne this very coat with the crescent as difference. And Simon Arden of Longcroft (see Fuller's *Worthies of England*, "Warwickshire") bore these arms without the crescent for difference; this Simon was a first cousin of Mary Arden's father. The Alvanley Ardens who used the crescent were but remotely related to the Park Hall Ardens. Accordingly, the heralds substituted this form of Arden arms for the older Arden family coat and used the *martlet* (fourth son) for difference. In so doing the heralds did not use the Earl of Warwick details and by having a martlet for difference did not duplicate the Arden of Alvanley coat. This does not indicate any misrepresentation, falsifying, or undue influence exercised on the part of the Shakespeares. The Arden coat with a martlet for difference was not exactly accurate, but it was more nearly accurate than the other two Arden coats. The evidence suggests that the heralds, and perhaps the Shakespeares, exercised extraordinary care.

⁵ See under *martlet*, p. 303, above.

^a John Guillim (*Display of Heraldry*, 1610, p. 271) declares a motto to be "the Invention or Conceit of the Bearer"; and John Woodward (*A Treatise on Heraldry, British and Foreign*, 1896, II, 378) asserts a motto "has no inherent hereditary character, and may be changed at pleasure." Neither of the two drafts of the 1596 grant nor the impalement of 1599 mentions any motto.

⁴ "The first Earl of Warwick, Arthgal, was said to have slain a bear with a blow from a young tree

There is no evidence that Robert Arden was ever much concerned about the coat of arms to which his family (Park Hall) was entitled. There is no evidence to show that he himself had ever differentiated his Arden arms. Did the 1599 impalement precipitate the matter? And was the problem solved by the heralds as indicated above—a martlet?

For details and a genealogical tree of the Arden⁶ family see chapter vii, above.

The fact that there has not come to light a properly executed (signed and sealed) official 1599 grant of impalement is not in itself conclusive evidence that the grant was never allowed. No such properly executed copy of the 1596 grant has ever come to light either; but there can be no question that it was issued and was used to its fullest extent (see chapter xxxvii). The Arden arms, so far as any known extant evidence is concerned, was never used by the Shakespeare family: they appear in no known impalement; they are not on the Shakespeare monument in the Stratford Church nor on any grave in the Church; and they are not used in any extant Shakespeare document. It will be recalled, from the discussion of the 1596 grant, that when

in 1556 Mary Arden, daughter of Robert Arden, gentleman, married John Shakespeare, yeoman, she forfeited her rights to the benefits of gentryhood. Perhaps, having forfeited her rights in the Arden family gentry, she no longer had any arms which lawfully could be impaled on the recently acquired Shakespeare coat of arms. If so, then the College of Arms was helpless in the case; perhaps, then, the impalement could not lawfully be allowed. But this may be little else than casuistry; it is, nevertheless, suggested as a problem for investigation.

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LIV

THE FIRST QUARTO OF HENRY V, 1600

SHAKESPEARE'S *Henry V* was published in quarto form in 1600 by Thomas Millington and John Busby, the text being notably corrupt. The documents of importance concerning it as usual include the entries from the Stationers' Register and the title page of the work as published.

A. The Stationers' Register contains an entry "to be staied," dated August 4,

1600, including the play *Henry V*. Not quite a normal one, it was written, with an entry dated May 27, on a spare page. It is here given as Document 145. Just what was the actual meaning and special significance of the phrase "to be staied" is not clear. Obviously the phrase applied to all of the four plays, for they were listed together.

Whether or not the dramatic companies themselves objected to their plays being published, were indifferent to their being published, or gave their consent or even bargained with some publisher when they were issued are facts which, to date, have not been definitely

established. True, there are some indications that dramatic organizations desired to control the transmission of their plays to the press. It is not always clear, however, whether the motive was one of protection or of desire to profit financially. Publishers, it may be certain, desired to profit by issuing any given printed work. The evidence of such control of transmission to the press is abundant, though not in connection with the Lord Chamberlain's and the King's Men. The July 22, 1598, entry in the Register for James Roberts' quarto of *The Merchant of Venice* contains the proviso, "Prouided that yt bee not

⁶The line of Arden descent was: (1) from Rohand the Saxon, Earl of Warwick of Alfred the Great's time, through Sheriff Ailwin to Walter Arden of Park Hall; (2) Thomas Arden (second son); (3) Robert Arden; (4) Mary Arden, who in 1556 married John Shakespeare.

printed by the said James Robertes or anye other whatsoeuer without lycence first had from the Right honorable the lord Chamberlen vj^d" (Arber, *Transcript*, III, 122). When Quarto 1 of the play appeared two years later it was a

plays in this entry of August 4, 1600, in the Register, indicated desire on the part of the Lord Chamberlain's Men to control the publication of their own plays, then the subsequent happenings with regard to some of these plays do

ferred on August 14, 1600. A. W. Pollard has advanced the theory¹ that the Chamberlain's Men, not wishing to invoke their patron too frequently, adopted the plan of employing James Roberts to secure conditional blocking entries in the Stationers' Register. These, supposedly, would not be acted on but would effectually balk other publishers who might seek to publish one of the volumes "to be staied." He holds that Blount's entries of 1608 were devised to a similar end. Even so, the plan did not prevent quarto issues of *Hamlet*, *Pericles*, *The Merry Wives of Windsor*, and *Troilus and Cressida*, and this despite the opposition of the "grand possessors." Whatever the explanation of "to be staied," Roberts' operation here should not be regarded as savoring of the fraudulent. Perhaps "to be staied" was used merely until Roberts could transfer copyright to Thomas Pavier.

B. On August 14, 1600, the rights to *Henry V* were entered to Thomas Pavier. The entry in the Stationers' Register is here given as Document 146.

C. In 1600 a quarto of *Henry V* was printed by Thomas Crede for two booksellers, Thomas Millington and John Busby. The length of the title page, here given as Document 147, suggests that it was a publisher's rather than a printer's enterprise.

This quarto was in signatures A-G⁴, making a total of 28 leaves, with the last one blank. Some six copies are known, including ones in the Bodleian, in Trinity College, Cambridge, in the British Museum, in the Huntington, and in the Folger Shakespeare libraries. The details here given are from the Huntington copy. Except for Shakespeare's parts of *Henry VIII*, written at the close of his career in collaboration with John Fletcher, *Henry V*, written about 1599, was the last of the dramatist's chronicle English history plays. Holinshed's *Chronicles* was the basis of the play, which has some points in common with *The Famous Victories of Henry the Fifth* made available by a quarto in 1598.

¹ Shakespeare's *Fight with the Pirates and the Problems of the Transmission of His Text*, 1917, 1920, pp. 36, 42.

[DOCUMENT 145]

[STATIONERS' REGISTER ENTRY CONCERNING *HENRY V*,
AUGUST 4, 1600]*

[1600] 4. Augusti

| | |
|--|----------------|
| <i>As you like yt / a booke</i> | } to be staied |
| <i>henry the ffift / a booke</i> | |
| <i>Euery man in his humour / a booke</i> | |
| <i>The commedie of 'muche A doo about nothing' a booke /</i> | |

* Edward Arber, *Transcript*, III, 37.

[DOCUMENT 146]

[STATIONERS' REGISTER ENTRY CONCERNING *HENRY V*,
AUGUST 14, 1600]*

[1600] 14. Augusti

Thomas Pavyer Entred for his Copyes by Direction of master white warden vnder his hand wrytinge. These Copyes followinge beinge thinges formerlye printed and sett over to the sayd Thomas Pavyer

viz

The historye of Henry the Vth with the battell of Agencourt vjd

* Edward Arber, *Transcript*, III, 169.

good text and required relatively little emendation; and the proviso of the 1598 entry reads that the "Right honorable the lord Chamberlen," not the Lord Chamberlain's Men, was to give consent for the printing. This suggests the use of the influence of the dramatic company's own patron. The motive for the proviso, however, is not entirely clear.

If it be inferred that the phrase "to be staied," as applied to the group of four

not indicate that they were entirely successful. Both *Every Man in His Humor* and *Much Ado about Nothing* were entered later, in August 1600, regularly in the Stationers' Register and published in good texts. Of the popular *As You Like It*, no quarto appeared. Moreover, this "to be staied" did not prevent the issuing in 1600 of a quarto text of *Henry V*, nor did it prevent an acknowledgment of copyright when it was trans-

This quarto of *Henry V* is classed with the "bad" quartos,² in which category belong those of *Romeo and Juliet* (Q1), *Hamlet* (Q1), *The Merry Wives of Windsor*, and *Pericles*.

Quarto 2 of *Henry V* appeared in 1602, issued for Thomas Pavier. Except for differences in the imprint of the publisher, and other details, its title page is virtually a duplicate of that of Quarto 1. It was in signatures A-F⁴, G², making 26 leaves. It is rather rare: only three copies are known, one in Trinity College (Cambridge), one at Huntington, and a Sotheby copy known in June 1921 but now untraced. In 1619 Thomas Pavier printed a Quarto 3 with the date incorrectly given as 1608. Again, except for the publisher's imprint and the printer's device, its title page is virtually that of Quartos 1 and 2; it is in signatures A-G⁴, totaling 28 leaves. Thirty-seven copies are extant. The play was of course in the First Folio of 1623.

The first quarto text of *Henry V* can best be considered in contrast with that of the First Folio: (1) Quarto 1 is a mangled and corrupt text of a sort that can perhaps be explained as an unauthorized, reported version made up from notes, not from theater copy; its errors are not those of transcription and of printing. (2) Quarto 1 was less than one-half as long as the text of the First Folio. (3) There are omissions which cause lacunae in the sense. (4) By contrast, the text of Quarto 1 is a sort of paraphrase of the First Folio text. (5) Neither Quarto 1 nor the First Folio text appears to be direct from theater prompt copies; neither has many stage directions and of these the quarto has fewer than the First Folio. (6) By contrast, *Romeo and Juliet*, also a mangled text, has some long stage directions. (7) Some scholars explain the very short text of Quarto 1 as a cut³ from that

basic to the First Folio for performance in the provinces; others suggest that it reflects lapses, during the performance, of the stenographic reporter. (8) Such cuttings reduced, so it has been held, the 3,381 lines of the First Folio text by about 1,000 lines, eliminated eleven speaking parts, and cut the acting time by about one hour. (9) The nature of the corrupt text does not support Nicholson and Craig's suggestion that Quarto 1 was a literary revision. (10) Compression resulting in the Quarto 1 text is more plausible than is expansion of some earlier text into the First Folio version. (11) The Folio text is more faithful to Holinshed than that of

the present of tennis balls to the Dauphin, the English imperious attitude toward France.

Quartos 2 and 3 probably were printed independently from Quarto 1. The Folio Text may be from a prompt copy, a corrupt version of which appeared in Quarto 1. The text of *Henry V* is a complex problem that has not been satisfactorily solved.

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[DOCUMENT 147]

[TITLE PAGE OF QUARTO 1 OF HENRY V, 1600]

THE / CHRONICLE / History of Henry the fift, / With his battell fought at Agin Court in / France. Together with Auntient / Pistoll. / As it hath bene sundry times playd at the Right honorable / the Lord Chamberlaine his seruants. / [Creede's printer's device]* / LONDON / Printed by Thomas Creede, for Tho. Millington, and Iohn Busby. And are to be / sold at his house in Carter Lane, next / the Powle head. 1600.

* See R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 299.

Quarto 1. (12) The Folio text did not omit all the profanity, but Quarto 1 has as much and it has more vulgarity. (13) The chorus materials do not appear in Quarto 1 as they do in the First Folio. (14) Pollard and Wilson interpret *Henry V* as one of a group of old plays revised by Shakespeare and then transcribed in an abridged form for use in the provinces as early as 1593, and conclude that such an abridged manuscript plus an actor's report of a performance of the play was utilized for the text of Quarto 1. (Pollard and Wilson based their deductions on a critical study of Act II of Quarto 1.) There are, of course, traces in *Henry V* of the earlier *The Famous Victories of Henry V*—such as Henry's wooing of Katherine,

ROBERT D. FRENCH, *The Life of Henry the Fifth*, 1918, Yale edition

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 CHARLES PRAETORIUS, *King Henry V., by William Shakspeare. The First Quarto, 1600, a Facsimile (from the British Museum Copy, C. 12, g. 22)*. Introduction by

² A. W. Pollard (*Shakespeare Folios and Quartos*, 1909) is responsible for the classification of "good" and "bad" as applied to Shakespearean quartos. The terms have been extended to describe any contemporary publication.

³ Quarto 1 had no prologue, omitted the other four choruses, had no epilogue, and omitted whole scenes—scene i from Act I, scene i from Act III, and scene ii from Act IV—while lines from other

scenes were lacking. Really important passages were absent: I, ii, 115–35; II, ii, 105–42; III, ii, 69–153; III, iii, 11–41; III, v, 27–68; III, vii, 140–69; IV, i, 1–34, 118–39, 247–301; V, ii, 307–58, 387–400; and so on.

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LV

THE FIRST QUARTO OF *MUCH ADO ABOUT NOTHING*, 1600

IT WAS Andrew Wise and William Aspley who in 1600 first published in quarto form Shakespeare's *Much Ado about Nothing*, a play which may have been written for the opening performance of the new Globe Theatre in

"to be staid" was discussed in connection with *Henry V* (chapter liv), where the entire memorandum entry was given (Document 145).

On the following August 23, the copyright of *Much Ado about Nothing* was transferred to Andrew Wise and

the copyright, Andrew Wise and William Aspley issued a quarto entitled *Much ado about Nothing*. This publishing venture appears to have been the first one in which these two men were in partnership relations. Wise had published (1597-1599) the first and second quartos of *Richard II*, *Richard III*, and *1 Henry IV*, and a third quarto of *Richard III* in 1602. This enterprise appears to have been Aspley's first venture in publishing. He was subsequently one of the publishers of *Shakespeare's Sonnets* in 1609, and in 1623, one of the booksellers for the First Folio.

The title page of this first quarto of *Much Ado about Nothing* is here given as Document 149. It was in signatures A-1⁴, totaling 36 leaves. Some sixteen copies are extant, including those at the Bodleian, at Trinity College (Cambridge), the British Museum, at the Huntington, and the Folger Shakespeare libraries. There was no other quarto edition of this play; it did not appear again until its inclusion in the First Folio. Halliwell-Phillipps' *Calendar of Rarities*, No. 27, now in the Folger collection, is a Dutch play, acted in 1618, based on *Much Ado about Nothing*. It is entitled *Timbre de Cardone ende Fenicie van Messine* (see

[DOCUMENT 148]

[STATIONERS' REGISTER ENTRY CONCERNING MUCH ADO
ABOUT NOTHING, AUGUST 23, 1600]*

[1600] 23 Augusti

Andrew Wyse Entred for their copies vnder the handes of the
William Aspley wardens Two bookes. the one called *Muche a Doo*
 about nothinge. Th[e]other *the second parte of the*
 history of kinge henry the IIIIth with the humours
 of Sir john fallstaff Wrytten by master Shake-
 spere xij^d

* Edward Arber, *Transcript*, III, 170.

1599. Concerning it there are two entries in the Stationers' Register, and of course the initial title page is available.

A. On August 4, 1600, four plays were entered in the Stationers' Register for James Roberts "to be staied." These plays were *As You Like It*, *Henry V*, *Every Man in His Humor*, and *Much Ado about Nothing*. The meaning of

William Aspley. The entry is given here as Document 148. It is worth special mention that now for the first time in the Stationers' Register the name William Shakespeare was entered: "Wrytten by master Shakespere." The title "master" was not without significance in that day.

B. Very soon after the transfer of

Edmund Gosse, "Shakspeare and the Dutch Dramatists," in *The Athenaeum*, November 10, 1877, pp. 597-98). The First Folio text was set up from the Quarto 1 text. The Folio text divides the play into acts, but only Act 1 has any scene division and in it there is only a scene i. The details of variation between the first quarto and the First Folio texts are listed by P. A. Daniel in his "Introduction" (pp. vii-xii) to the William Griggs facsimile of Quarto 1.

While no Shakespeare first quarto was actually an excellent Elizabethan quarto, Quarto 1 of *Much Ado about Nothing* may be classed as a "good" text. It is to be noted that "a booke" in the entry in the Stationers' Register was appended to the end of each of the four plays included "to be staied." Greg suggested that this might indicate that the author's original manuscript was here intended; comparative study of many entries in the Register shows that "a booke" was commonly employed in connection with such entries. Usually, however, it was inserted before the name of the work that was being copy-righted. Since this present entry was a sort of memorandum on a spare page, the fact that "a booke" was placed after the title rather than before it can scarcely be said to have such unusual significance as Greg accords to it. He cites the case of the entry for October 28, 1600, for *The Merchant of Venice*: "A booke called the booke of the merchant of Venyce" (Arber, *op. cit.*, III, 175).

No one can say what the condition of Shakespeare's completed autograph manuscripts was, whether they were "fair copy" or no. The printed Quarto 1 texts suggest that a theater prompt copy was used in the printing: for while a goodly number of entries and exits are unindicated and the stage directions and speech prefixes are rather casual, actors' names appear in the text. "Kemp," "Kem," "Ke," for Kemp, the comic actor, and "Cowley," etc., appear as speech prefixes. Generic names, instead of personal names, occur: "Bastard" for Don John; "Old" or "Brother"

for Antonio; and "Constable" for Dogberry. It is likely that not the author but rather the stage director made these marginal insertions while it was being prepared for public presentation. J. D. Wilson opines that Shakespeare himself did this while he was revising—he having, for the nonce, forgot some of the names of the characters. The First Folio text continued many of these errors and added others, while little of the profanity of Quarto 1 was deleted for the text of the First Folio.

inges and Condell Text of 1623), 1889, Bankside edition, Vol. VI

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[DOCUMENT 149]

[TITLE PAGE OF THE QUARTO OF MUCH ADO ABOUT NOTHING, 1600]

[Ornament] / Much adoe about / Nothing. / *As it hath been sundrie times publikely* / acted by the right honourable, the Lord / Chamberlaine his seruants. / *Written by William Shakespeare.* / [Ornament] / LONDON / Printed by V[alentine] S[immes] for Andrew Wi[se], and / William Aspley. / 1600.

Since the title *Much Ado about Nothing* does not appear in the Meres list (1598) but the title *Love's Labour's Won* does so appear, some critics have held that the Quarto 1, 1600, of *Much Ado about Nothing* was a revised earlier *Love's Labour's Won*. Allison Gaw ("Is Shakespeare's *Much Ado* a Revised Earlier Play?" *P.M.L.A.*, L, 715-38), with great critical astuteness, concludes that the evidence "adequately supports the traditional view that the text of that quarto originated shortly before its publication in 1600, probably in the theatrical season of 1598-99" and hence that *Much Ado* is not *Love's Labour's Won*.

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LVI

THE FIRST QUARTO OF *A MIDSUMMER-NIGHT'S DREAM*, 1600

ENTERED in the Stationers' Register by Thomas Fisher in 1600, and published by him doubtless soon thereafter in the same year, was Shakespeare's *A Midsummer-Night's Dream*. Two further Shakespeare documents, the en-

Night's Dream was issued by Thomas Fisher to be sold by him at the "Signe of the White Hart, in Fleetestrecte." The title page of his edition is here given as Document 151.

This quarto was in signatures A-H⁴, totaling 32 leaves. Eight copies remain,

1600 Quarto 1 and the misdated Pavier Quarto 2 are virtually the same. Each was in signatures A-H⁴, making 32 leaves. Of the Pavier misdated 1619 Quarto 2, twenty-seven copies are known. Quarto 2 was printed from Quarto 1; and the First Folio text was printed from Quarto 2. A strange thing is that the First Folio expunged only one of the oaths contained in the quartos.

Despite some abnormal spellings, Quarto 1 is a fairly well-printed text. While it is not to be classed as a very "good" text, certainly it is not to be classed with the "bad" ones such as *Henry V*, *Hamlet*, and others. Since the stage directions are not elaborate, it has been suggested that it was printed from Shakespeare's autograph manuscript. On such grounds alone, this can neither be proved nor disproved.

The date of composition of the play has been placed from as early as 1592 to as late as 1598, with still more revisions as late as 1600.

[DOCUMENT 150]

[STATIONERS' REGISTER ENTRY CONCERNING *A MIDSUMMER-NIGHT'S DREAM*, 1600]*

[1600] 8. octobris

Thomas fyssher Entred for his copie vnder the handes of master Rodes / and the Wardens.A booke called *A mydsommer nightes Dreame* vjd

* Edward Arber, *Transcript*, III, 174.

[DOCUMENT 151]

[TITLE PAGE OF QUARTO 1 OF *A MIDSUMMER-NIGHT'S DREAM*, 1600]

[Ornament] A / Midfommer nights / dreame. / As it hath beene sundry times pub- / lickely acted, by the Right honoura- / ble, the Lord Chamberlaine his / seruants. / Written by William Shakespeare. / [Fisher's printer's device]* / ¶ Imprinted [a]t London, for Thomas Fisher, and are to / be sould at his shoppe, at the Signe of the White Hart, / in *Fleete strecte*. 1600.

* R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 321.

try and the initial title page, are thus provided.

A. The Register of the Stationers' Company, under date of October 8, 1600, contains the entry for *A Midsummer-Night's Dream* for "Thomas fyssher," here given as Document 150; but the play appears to have been written some years earlier.

B. Very soon after this entry was recorded, Quarto 1 of *A Midsummer-*

of which there is one each in the Bodleian, the British Museum, the Huntington, and the Folger Shakespeare libraries. The Folger collection has the Halliwell-Phillipps fragment of *A Midsummer-Night's Dream* which may be of an unidentified issue. Thomas Pavier's quarto of 1619, erroneously dated 1600, was printed by William Jaggard (see chapter ciii, Volume II). Except for the imprint, the title pages of the

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LVII

THE FIRST QUARTO OF THE MERCHANT OF VENICE, 1600

UITE satisfactory as to its text was the next play of Shakespeare's to be published, *The Merchant of Venice*, duly registered and then issued by Thomas Heyes in 1600. Here again are available the Stationers' Register entries and the original title page, both of which are reproduced in documents below.

A. The Register of the Stationers' Company has two entries, in 1598 and

in 1600, for *The Merchant of Venice* before the appearance of the play in 1600 in quarto form. It is to be noted that the first of these, here given as Document 152, was very definitely a conditional entry: "Provided that yt bee not prynted by the said James Robertes or anye other whatsoever without lycence first had from the Right honorable the lord Chamberlen." Note that neither Robertes nor anyone else was to print it without authority. On June

1, 1599, the wardens of the Stationers' Company, by order of the Archbishop of Canterbury and the Bishop of London, directed: "That noe playes be printed excepte they bee allowed by suche as haue authoritye."

Two years later, on October 28, 1600, James Roberts transferred his copyright of *The Merchant of Venice* to Thomas Heyes, who, with Nicholas Ling and Cuthbert Burby, published Robert Al- lot's *Englands Parnassus* the same year.

The entry of this transaction in the Stationers' Register is here given as Document 153.

B. Very soon after the copyright was thus transferred from James Roberts to Thomas Heyes, Quarto 1 of *The Merchant of Venice* appeared. Now in 1600 William Shakespeare was at the height of his popularity, though

origin, meant "cormorant"; Jessica, also of Hebrew origin, meant "on-looker." The author's name was rather definitely paraded: "Written by William Shakespeare."

This quarto has signatures A-I⁴, K², making a total of 38 leaves. Some seventeen original copies are known, including ones in the Bodleian, the Trin-

Thomas Pavier included *The Merchant of Venice* among his several quartos of 1619 but dated it 1600.² Of the Pavier quarto some 26 copies remain. A third quarto appeared in 1637, of which some 21 copies remain. This Quarto 3 reappeared with a later title in 1652. The Huntington Library has copies of each of these quartos. Quarto 2 and the First Folio texts were set up, independently, from Quarto 1.

The text of Quarto 1, as Elizabethan dramatic text, is excellent. It is one of the "good" texts of Shakespearean quartos. Some care was exercised while it was passing through the press: a literal misprint at iv, i, 73-74, was corrected while signature G⁴ was being printed, for that misprint does not occur in some of the extant copies of the quarto. The Cambridge editors of 1863, believing the date 1600 appearing on Pavier's quarto to be authentic, preferred that quarto and made corrections accordingly in the text. If Shakespeare's own autographic manuscript³ was used for Quarto 1, there must have been some marginal stage directions or some glosses on it: for ii, v, 1, has "Enter Iewe and his man that was," with the final phrase "the Clowne." One finds Lancelot indicated often as "Clowne" and Shylock as "Jew" in both stage directions and speech prefixes. The defective punctuation (often omissions), the lack of uniformity in the use of initial capitals at the beginnings of the lines, and the variant use of roman and italic types for stage directions do not appear to be from corresponding defects in the original manuscript; rather they appear to be the result of an inadequate

[DOCUMENT 152]

[STATIONERS' REGISTER ENTRY CONCERNING *THE MERCHANT OF VENICE*, JULY 22, 1598]*[1598] xxij^o Julij

James Robertes. Entred for his copie vnder the handes of bothe the wardens a booke of *the Marchaunt of Venyce or otherwise called the Jewe of Venyce* / Prouided that yt bee not prynted by the said James Robertes or anye other whatsoeuer without lycence first had from the Right honorable the lord Chamberlen

vj^d* Edward Arber, *Transcript*, III, 122.

[DOCUMENT 153]

[STATIONERS' REGISTER ENTRY CONCERNING *THE MERCHANT OF VENICE*, OCTOBER 28, 1600]*

[1600] 28 octobris

Thomas haies Entred for his copie under the handes of the Wardens by Consent of master Robertes. A booke called *the booke of the merchant of Venyce*

vj^d* Edward Arber, *Transcript*, III, 175.

he was yet to achieve greater dramatic heights in his later tragedies. *The Merchant of Venice*, accordingly, gave promise of not being a losing venture. Its title page is here given as Document 154. Its rather long and somewhat inclusive description of the content of the play suggests a publisher's advertising title page. That the merchant of Venice was Antonio and not Shylock is clear from this phrasing—"VWith the extreame crueltie of *Shylocke* the Iewe towards the sayd Merchant." Shylock, a word of Hebrew

ity College (Cambridge), the British Museum, the Huntington, and the Folger Shakespeare libraries. Something of the popularity of *The Merchant of Venice* may be suggested by the fact that the Folger collection has more than four hundred separate editions of the play. The play had an enviable stage history.¹

¹An instance of the play's popularity in the early eighteenth century may be cited: In 1701, a play adapted from *The Merchant of Venice* of Shakespeare, with a masque *Pelets & Thetts* inserted in Act II, was written by George Granville (1667-1735), who was Baron of Lansdowne. When published the title page read: "The / Jew of Ven-

ice / A Comedy. / As it is Acted at the Theatre in Little-Lincolns-Inn-Fields, / By / His Majesty's Servants. / London, / Printed for Ber[nard] Lintott at the Post-House / in the Middle Temple-Gate, Fleetstreet, 1701. [Advertisement of 5 lines]." It was a quarto in signatures [A]-G⁴, making 28 leaves: [A¹], half title, [A²], title; [A³], advertisement to the reader; [A⁴], Prologue and Dramatis Personae. (These details are from the Huntington Library copy.) The profits of this play were donated to the impoverished family of John Dryden, who had died in 1700 in much reduced circumstances. Betterton and Mrs. Bracegirdle, noted in the theater of the day, acted it.

²See chapter ciii, in Volume II.

³Chambers, *William Shakespeare*, I, 368 ff., believes it may have been.

variety and supply of type in the printing office. Van Dam holds that the variant use of minuscules and majuscules at the beginnings of the lines was the result of the composer's finding them thus in the original manuscript. Yet it was not the practice of Elizabethan printers thus more or less slavishly to follow an author's script; in setting up the type, they followed their own individual shop practices. Wilson, following the theory of composite authorship, explains some of these irregularities as "assembling." Greg⁴ says that the Register entry of October 28, 1600, suggests the use of official copy from the theater: "A booke called *the booke of the merchant of Venyce*." However, the Register entry of May 20, 1608, for *Pericles* reads exactly the same: "A booke called. *The booke of Pericles prynce of Tyre*" (Arber, *op. cit.*, III, 378).

Shakespeare's text owes very little to Marlowe's *The Jew of Malta*, and apparently nothing at all to Wager's *Cruel Debtor* or to Wilson's *Three Ladies of London* or to the bond story in the ballad of the *Northern Lord*. Nothing whatever can be asserted concerning a "Jew . . . showne at the Bull" mentioned in Stephen Gosson's *Schoole of Abuse* (1579).

That *The Merchant of Venice* was one of Shakespeare's earlier plays is determined from contemporary evidence: (1) Henslowe's *Diary* (edited by Greg, I, 19; II, 167-70) notes that the first production of "the venesyon comodey" took place on August 25, 1594, in the theater in which at that time Shakespeare's dramatic company was acting. (2) The period 1594-96 was an auspicious one for taking advantage of a London public a bit wrought up against the Jews; for in 1594, Dr. Rodrigo Lopez, a prominent Jewish physician, was hanged in London on a charge of treason and conspiracy to murder Queen Elizabeth and also the Portuguese, Don Antonio. (3) The general lyrical quality of the play puts it in the class with the *Sonnets*, *Richard II*, *A Midsummer-Night's*

Dream, and *Romeo and Juliet*. (4) The fact that Meres included it in his list of 1598 is evidence that it was written before that date. (5) The late 1580's and the early 1590's in England witnessed renewed hostility and condemnation of the usurer and of usury; the critical castigations on this topic by Christopher Marlowe (1564-1593) are in point.

The Church had long since condemned usury on the ground that wealth was but lent to a human being by God; hence he was to use it to

lent it without interest return. In Antonio the sentimental, all-loving Christian ready to be sacrificed if need be, and in Shylock the crafty and callous usurer the two points of view of medieval love and hate, were effectively brought into dramatic opposition. The medieval world felt and lived those two points of view. Portia's majestic dissertation on mercy was of the very essence of Christian magnanimity and forgiveness—the very thesis by which Valentine forgave Proteus at the close of *The Two Gentlemen of Verona* and

[DOCUMENT 154]

[TITLE PAGE OF QUARTO 1 OF *THE MERCHANT OF VENICE*, 1600]

The most excellent / Historie of the Merchant / of Venice. / VVith the extreame crueltie of Shylocke the Iewe / towards the sayd Merchant, in cutting a iust pound / of his flesh: and the obtayning of Portia / by the choyse of three / chests. / As it hath beene diuers times acted by the Lord / Chamberlaine his Seruants. / Written by William Shakespeare. /

[Ornament] / AT LONDON, / Printed by I[ames] R[oberts] for Thomas Heyes, / and are to be sold in Paules Churchyard, at the / signe of the Greene Dragon. / 1600.

good purpose while it was in his trust and custody but was not to profit by it at the expense of his less fortunate brother. In many a medieval will a well-to-do person returned virtually all his property and money to God by devising it to the Church. Again and again the Church and the clergy had openly pronounced against both usury and the usurer, whether Jew or Gentile. Shakespeare's Shylock epitomizes more the callous-hearted usurer and less the racial Jew. Marlowe's Barabbas in *The Jew of Malta* (ca. 1590) exemplified the medieval conventional and prejudiced opposition to the Jew in Elizabethan times; whereas, by dramatic contrast with Marlowe, Shakespeare's Shylock was the human being who had been led in part to become what he was by the bitter hatred of Christians toward him—largely because he lent money for "usances," while Christians

the very spirit by which the hearts of the Capulets and the Montagues were healed and reunited in love at the close of *Romeo and Juliet*. Shakespeare was not consciously the moral teacher—and very much less the conventional moralizer—but he was a part of his public and, like it, could not and did not escape their common medieval-Renaissance inheritance. The medieval Jew was the traditional moneylender: hence he was an object of Christian disapproval. The Lopez incident of 1594 had aroused latent prejudices against the usurer and the Jew. It was an opportune moment for a dramatic stroke which contrasted Christian love and forgiveness with callous and designing hate. The Church and the old Morality Plays had taught their lesson well, and that lesson, right or wrong, obtains to this very day; for *The Merchant of Venice* still has its appeal.

⁴ *Library*, 4th ser., VII, 384.

Shylock, in his insistence on the terms of his bond, was definitely within his Elizabethan legal rights. There was nothing unusual about his insistence except that it jeopardized the life of a good, loving Christian who was a rival merchant willing to sacrifice his very life for his friend Bassanio. A bond was the prevailing and the conventional Elizabethan legal method by which money was lent. Like a mortgage, it was executed as absolute; that is, however much the bond was greater in amount than the loan which it secured—the bond may have been for £1,000 (about \$40,000) and the loan only £100—the entire sum of the bond was forfeit the moment the loan was not paid, and the reason for nonpayment was not the concern of the Court. The principle of equity had not then yet been formulated. If a mortgage (actually a rigorous quit-claim deed on a property) was not paid when due, instantly the mortgaged property legally passed into the absolute possession of the one who had lent the money. And there was no legal recourse leading to recovery of the property thus forfeit.

Legally, moreover, there was nothing extraordinary about the bond's calling for a "pound of flesh" as security. The Elizabethan public, in a dramatic performance at least, did not sense this as an illegality. The play never voices any opposition to this proviso in the bond itself. The *Dolopathus*, the *Gesta Romanorum*, and the *Cursor Mundi* had long since taught the Oriental story of the pound of flesh to the Western world. The dramatic value lay in the cruelty of the usurer who would exact to the very utmost his entire and exact pound of flesh, especially when it jeopardized a human life and particularly the life of a Christian. And it was not on this ground even that the case legally turned: it was on the legal point that Shylock had conspired against the life of a Venetian citizen contrary to their law. Portia's appeal to Shylock in terms of Christian mercy fell on a heart of a stony and unyielding adversary. Then, and not until then, was the Venetian law in such a case

cited and applied. The consequent punishment meted out to the offending Shylock (forfeiting his money to good uses and being required to turn from Jew to Christian) seems most revengeful. But from a Christian point of view the money had but been lent to him by Providence, and to turn Christian would save his soul.

To an Elizabethan audience, then, Shylock was a villain. Today the indignities suffered by Shylock, even though he was a usurer and a Jew, tend very much to soften our hearts; but Shylock's cruelties and revengefulness definitely hardened the hearts of Elizabethans. The indignities and insults heaped upon him by Antonio, who is rather idealized as a Christian, were in keeping quite with the prevailing attitude and the actual practice of Christian toward Jew inherited from Medieval-Renaissance tradition. (See George Gordon Coulton's *Medieval Panorama*, 1938, chaps. 27, 28, 29.)

Lucrece, if the contemporary reference may be trusted, brought to Shakespeare reputation as a moral poet. *The Merchant of Venice* did not diminish that rating.

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LVIII

THE BURIAL OF JOHN SHAKESPEARE, 1601

THE Parish Register for Stratford-upon-Avon records in the usual manner the burial of John Shakespeare, father of William Shakespeare, as shown in Document 155.

In the very last documentary material relating to him, the entry for his burial in the Parish Register of Stratford-upon-Avon, deference is done to John Shakespeare: he is identified by the significant addition "Mr," the appellation duly accorded him ever since he had become High Bailiff of Stratford in 1568-69.

Just what his family estate consisted of, documentary evidence does not make clear. John Shakespeare's will, if he made one, has never come to light. A forged (Jordan?) "spiritual will" is among the Jordan MSS in the Birmingham Free Public Library.

The Birthplace in Henley Street was

in the estate, for William Shakespeare, in his will of March 25, 1616, bequeathed a life lease to it, for a nominal rental of 12*d.*, to his sister Joan Hart, who at the time of the poet's

II) for £320 (about \$12,800); and on September 28, 1602, he acquired the Getley cottage (see chapter lxiv, Volume II) across the street, to the south, from New Place. It is to be questioned whether

[DOCUMENT 155]

[STRATFORD PARISH REGISTER ENTRY OF THE BURIAL OF
JOHN SHAKESPEARE, 1601]

[1601]

Septemb 8 Mr Johaⁿes Shakspear[e]

death was occupying that property. What ready money, if any, was in the estate cannot well be determined. It is noteworthy, however, that in the very next year after his father's death William made two purchases: on May 1, 1602, he bought 107 acres of land from the Combes (see chapter lxii, Volume

William's inheritance of his father's estate did not expedite these purchases in 1602. In any case, William Shakespeare's concern was now to establish the family among the landed gentry. So far as lands and property are concerned, he succeeded. For Bibliography, see chapters iv, vi, x, xxxvii, xxxix, and liii, above.

LIX

THE ENTRY CONCERNING SHAKESPEARE IN JOHN
MANNINGHAM'S DIARY, 1602

UNDER date of March 13, 1602, John Manningham included in his diary statements relative to Burbage and Shakespeare which throw light upon social life in the Elizabethan theater.

A. The John Manningham diary is Harleian MS 5353 in the British Museum. It is a single volume in the personal hand of one John Manningham, who, in 1602, was a law student in the

Middle Temple, where he had Edward Curle as a fellow-student. The script is very legible; the pages (paper) are approximately 5 $\frac{7}{8}$ by 3 $\frac{3}{4}$ inches, the several folios are dated at the top (middle), and the several entries are dated in the left margin. Thus folio 29^v, on which this particular entry is made, at the top is dated "March 1601" (1602, New Style, of course) and carries in the left margin the dates "11,

13, 14." This Burbage-Shakespeare item is the third, and the largest, entry under the date of "13." The entry in this manuscript diary for February 2, 1602, folio 12^v, is the well-known account of *Twelfth Night*. The Manningham diary¹ was printed in full in 1868 by

¹ Edited by John Bruce, *Diary of John Manningham, of the Middle Temple, and of Bradbourne, Kent, Barrister-at-Law, 1602-3*. Camden Society, 1868.

J. Bruce. S. A. Tannenbaum, *Problems in Shakspeare's Penmanship* (1927, p. 110), printed a facsimile of the March 13, 1602, entry.

The facsimile here given is reproduced by permission of the British Museum. From the original manuscript, the following transcript is given as Document 156.

Other parts of Manningham's diary are characterized by single, double, or

saw it as "Tooly." Bruce saw it as "Touse"; Ingleby (*Shakspeare Allusion-Book*, re-edited by Chambers, 1932, I, 98) and W. W. Greg as "Curle." Since Edward Curle was a fellow-student in Middle Temple with Manningham, his informant may have been Edward Curle.

If Edward Curle was Manningham's informant concerning this story of Burbage and Shakespeare, it may have

or disproved, are quite in line with the Manningham diary allegation.

B. Aubrey MS 8, folio 45^v, in the Bodleian Library, presents a wholly different account of Shakespeare's moral conduct in London. This entry is dated about August 1681. Perhaps it is no more to be trusted as actual fact than the Manningham diary. A transcript from the original is here given as Document 157.

This manuscript is a single leaf (about 7 by 5½ inches) inserted in the third part ("Auctarium Vitarum") of Aubrey's "Brief Lives," the material which Aubrey (1626-1697) collected for Anthony à Wood's *Athenae Oxonienses* (1692). A good recent facsimile of this manuscript is in Chambers' *William Shakespeare* (II, 252).

The excerpt concerning Shakespeare is from the verso of the document, which contains notes about Ogilby (the dancing master), Shakespeare, Jonson, and Fletcher. The recto contains notes about Ogilby. The material of the excerpt has been scratched out by three heavy perpendicular lines, between which three other large X's have been added to the deletion. The Shakespeare material consists of two parts: the first has "W. Shakespeare" appended to it, indicating that it applies to the dramatist; the second part, seemingly in a different ink but in the same hand, appears to be a second notation added after Lacy had suggested that inquiry be made of "Mr Beeston who knows most of him."

Aubrey's interview with Beeston, a Carolinian and Restoration actor, son of the theatrical man, Christopher Beeston, of Shakespeare's own day, took place probably in the latter part of 1681. A marginal note "from Mr Beeston" on folio 109 of Aubrey MS 6 suggests that the actor supplied the details therein, and the deletion of the material in MS 8, folio 45^v, may suggest its having been discarded by Aubrey as not accurate in some of its points. Furthermore, no mention is made of Shakespeare's moral life in Aubrey's manuscript life of Shakespeare (see Aubrey MS 6, folios 46 and 109).

[DOCUMENT 156]

[ENTRY IN JOHN MANNINGHAM'S DIARY RELATING TO SHAKESPEARE, 1602]

Vpon a tyme when Burbidge played Rich 3. there was a citizen greue* soc farr in liking wth him, that before shee went from the play shee appointed him to come that night vnto hir by the name of Ri:/the 3././Shakespeare ouerhearing their conclusion went before, was intertained, and at his game ere Burbidge came././Then message being brought that Rich. the 3^d. was at the dore./ Shakespeare caused returne to be made that William the Conquerour was before Rich. the 3././Shakespeares name w[i]ll[i]a[m] ma[ster] Curle/

* Tannenbaum (*Shakespeare Association Bulletin*, Vol. IX, No. 2, p. 106) gives a modernized version of this Manningham diary passage. He transcribes this word "greue" [grew] as "gone"; and in his *Problems in Shakspeare's Penmanship* (p. 224) it is "goene." Tucker Brooke's *Shakespeare of Stratford* (1923, p. 39) has "grew." E. K. Chambers' *William Shakespeare* (1930, II, 212) has "greue." "Greue [grow]" in the sense of becoming greater or of increasing to a larger degree is excellent Elizabethan idiom. "Goene" is more modern and less Elizabethan in this particular meaning.

triple lines at the ends of certain sentences, but the diary, as a whole, exhibits relatively fewer commas than does this entry. Periods appear, as in this entry, in other Elizabethan handwritings; but commas seldom appear in such numbers as in this passage. Some of them appear to be by a different hand and pen—perhaps later insertions by some scribe (student) for purposes of clarification. The "ma[ster] Curle," at the lower left, which may have been tampered with, some read "Tooly"; at least Collier in 1831 (*History of English Dramatic Poetry*, I, 322), desiring to find a King's actor,

been one of the current popular stories of the theater. That the incident actually occurred cannot be proved or disproved. Supporters of Shakespeare will condone it and will chuckle over the witty Shakespeare having outwitted the great Burbage. Those who wish to keep their hero morally blameless will scoff at the idea and declare that the story is only a fabrication—a cheap fabrication of an unclean-minded Elizabethan theater-goer. Tales of Shakespeare's deerstealing (chapter IX, p. 322), running away from an apprenticeship, deserting his family, engaging in drinking bouts, none of which can be proved

A critical examination of the script of the document scarcely confirms Chambers' use of a semicolon after the word "writ." The two short horizontal pen-strokes—approximating a shortened equality sign—constitute a colon. Thus: "& if invited to writ: he was in paine." Something, of course, is wrong here. As it stands, the phrasing makes no sense; but obviously the intent was not that if the dramatist was invited to write a play or a poem he was in deep distress, for writing plays for his own dramatic company was William Shakespeare's chief means of livelihood. Yet Eva Turner Clark (*Shakespeare's Plays in the Order of Their Writing*, 1931, p. 673), a militant Baconian, interprets "& if invited to writ, he was in paine" as evidence that Shakespeare excused himself for not writing his plays when invited to do so for the reason that he did not and could not write them. The suggestion that "to writ"—the "writ" is, of course, very ill written in the manuscript—is "to go [o]ut" cannot be supported, for the reason that "to go out" is not a good Elizabethan idiom. True, "& if invited to go out, he was in paine" would make good sense; but it is not what an Elizabethan would have said or written. A very plausible interpretation of the script is: "& if [Shakespeare was] invited to [do so] [,] writ: [that] he was in paine [i.e., indisposed]." It is obviously the moral impression which the author desired to express concerning William Shakespeare. No doubt he did not complete what he had planned to say about the dramatist's writing. But the clean, moral character of the man is more than emphasized—almost fulsomely so: (1) "the more to be admired"; (2) "not a company keeper [keeper of a private mistress]"; (3) "lived in Shoreditch [one of the chief centers of stews and brothels of the day]"; (4) "wouldnt be debauched"; (5) "& if invited" [perhaps by privately written note sent to him]—possibly to join in a private night of drink and debauchery—he returned word that he was not well. It should be added that this manuscript note does not appear to be a fabrication intention-

ally inserted among the Aubrey materials; the handwriting appears to be the same as that of Aubrey's manuscript life of the dramatist.

Logan P. Smith is a bit misleading when (*On Reading Shakespeare*, 1933, p. 9) he asserts that Shakespeare delighted in "ribaldry" and "ithyphallic fun" and that Lear's "obscene railings against the mere fact of sex . . . are quite inappropriate to his circumstances and situation." One may be inclined to agree with J. M. Mackail's observation in his brief eight-page "Life of Shakespeare" (*A Companion to Shakespeare Studies*, 1934, p. 6) that "the story of Shakespeare and Burbage recorded by

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[DOCUMENT 157]

[ENTRY OF JOHN AUBREY AS TO SHAKESPEARE'S MORAL CHARACTER]

the more to be admired q[ua] he was not a company keeper / lived in Shoreditch, wouldnt be debauched, & if invited to / writ: he was in paine.

W. Shakespeare.

q[uaere] Mr Beeston who knows most of him fr[om] Mr Lacy:
he lives in Shore-ditch-neer-Nort at Hoglane
within 6 dores—Norton—folgate.
q[uaere] etiam for B. Jonson.

Manningham . . . may be true." On the other hand, no Elizabethan dramatist contemporary with Shakespeare surpasses him, let alone approaches him, in a general, wholesome freedom from obscenity, filth, and smut. If one may judge his private morals from his plays as we have them, he ranked well in advance of his era.

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[Document 156]

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Burbage, March 13, 1602. Harleian MS 5353,
folio 20^v, British Museum

[Document 157]

John Aubrey memorandum relative to the moral character of
William Shakespeare. Aubrey MS 8, folio 45^v,
Bodleian Library, Oxford

LX

THE PUBLICATION OF THE MERRY WIVES OF WINDSOR, 1602

EVIDENCING on its title page the wide popularity enjoyed by Shakespeare's supreme comic creation, Jack Falstaff, *The Merry Wives of Windsor* appeared first in quarto form in 1602.

A. The title page of the publication is here provided as Document 158. This quarto had signatures A-G⁴, making a total of 28 unpagéd leaves, the first of

mors"; (3) it included "the swaggering vaine of . . . Pistoll, and . . . Nym"; (4) it was written "By William Shakespeare"; (5) it had been acted before "her Maiestie" Queen Elizabeth. The head title and the running title divide honors between Falstaff and the Merry Wives: the head title reads, "A pleasant conceited comedie of Syr Iohn Falstaffe, and the merry Wiues of

clear, he transferred his right to Arthur Johnson, who obviously did issue the first quarto of *The Merry Wives of Windsor*. Arber (*op. cit.*, III, 289) rightly cites a parallel case in the Stationers' Register as that of *King Leir and his Three Daughters*. It should be noted that each of these entries lists the title as that of "*An excellent and pleasant conceited comedie of Sir Iohn ffaulstof*" and not primarily the "Merry Wives of Windsor," which subsequently became its popular appellation. In the original Register entry, the word "conceited," not being very clearly written, was repeated at the side as indicated above. W. W. Greg (*Library*, 4th ser., VII, 378) correctly points out that the original entry for John Busby is in a handwriting different from that of the assignment to Arthur Johnson. John Busby was the publisher who in 1600 issued the corrupt-text first quarto of *Henry V*, of which Thomas Creede, as in the instance of *The Merry Wives of Windsor*, was the printer.

C. The Thomas Pavier Quarto 2, in 1619, of *The Merry Wives of Windsor* had the far less elaborate title page here given as Document 160. This 1619 quarto is in signatures A-G⁴, making a total of 28 leaves. More than thirty-five copies are known: they are in the Bodleian, the British Museum, the Trinity College (Cambridge), the Birthplace Museum, the Huntington, and the Folger Shakespeare libraries. The text, with but slight variations, is the corrupt one of the 1602 Quarto 1. (For detailed discussion of this 1619 quarto by Pavier and other Pavier quartos, see chapter ciii, Volume II.)

D. There is a manuscript entitled "The Merry Wives of Windsor. Written by William Shakespeare," in the Folger Shakespeare Library, on paper, of twenty-one leaves, 7½ by 5¾ inches.

[DOCUMENT 158]

[TITLE PAGE OF QUARTO 1 OF THE MERRY WIVES
OF WINDSOR, 1602]

A / Most pleasaunt and / excellent conceited Co- / medie, of
Syr Iohn Falstaffe, and the / merrie Wiues of Windsor. / Enter-
mixed with fundrie / variable and pleasing humors, of Syr Hugh /
the Welch Knight, Iustice Shallow, and his / wise Cousin M. Slender.
/ With the swaggering vaine of Auncient / Pistoll, and Corporall
Nym. By William Shakespeare.

As it hath bene diuers times Acted by the right Honorable / my
Lord Chamberlaine's seruants. Both before her / Maiestie, and else-
where. /

[Ornament] / LONDON / Printed by T. C. for Arthur Iohn-
son, and are to be sold at / his shop in Powles Church-yard, at the
signe of the / Flower de Leuse and the Crowne. / 1602.

which is blank except for the signature mark. Five copies have been located: they are in the British Museum, the Bodleian, the Trinity College (Cambridge), the Huntington, and the Folger Shakespeare libraries. There are neither act nor scene divisions. This title page, obviously, from its very full and complete phrasing, is that of a publisher who desired to emphasize a good many things regarding the play. Five main items are stressed: (1) The play was about "Syr Iohn Falstaffe"—and second the "merrie Wiues of Windsor"; (2) it had "sundrie variable and pleasing hu-

Windsor"; whereas the running title reads, "*A pleasant Comedie, of the merry wiues of Windsor.*"

B. The Register of the Stationers' Company has entries for *The Merry Wives of Windsor* given here as Document 159.

Since the title page of the first quarto asserts "Printed by T[homas] C[reede] for Arthur Iohnson," it is clear, from the two entries above under the same date, that John Busby did not, as has been suggested, issue an earlier first quarto (no extant copy, no extant notice of it) but that, for reasons not now

These pages are numbered 1 to 40. The script, written in two columns to the page, is in a small, neat, Italian hand in which the letters are formed separately as in printing. In 1852, J. O. Halliwell-Phillips, in his *Some Account of the . . . Reliques, Illustrative of . . . Shakespeare, in the Possession of James Orchard Halliwell* (pp. 72-92) described the manuscript, expressed himself as convinced that the copy had been written "during The Commonwealth for some private playhouse," and ventured the idea that it had been prepared possibly to record stage readings not in the First Folio. From Halliwell-Phillips the manuscript passed to Warwick Castle. Later, by purchase, the Warwick Collection passed into the possession of Henry Clay Folger.

The period of the Commonwealth appears early for this manuscript; and, while in the light of present information no exact date can be assigned to it, a date of about 1670 may not be far off. Moreover, while Halliwell-Phillips was of the opinion that the manuscript was an independent text based on some earlier playhouse copy from which it derived certain stage directions, there is evidence that the transcript may have been based on the Third Folio (1663; second issue, 1664). The text of this copy and that of the Third Folio are substantially the same, though the great number of small variants suggests probable attempts at emendation. On one point critics are agreed: this manuscript of *The Merry Wives of Windsor* is not contemporary with William Shakespeare.

The problem of text of *The Merry Wives of Windsor*, despite the critical analyses of Daniel, Robertson, Greg, Chambers, Wilson, and others, continues to be a critical conundrum. With something of a degree of definiteness, these things may be said concerning Quarto 1: (1) It is one of the shortest of the first quarto texts. (2) It is not Shakespeare's own preliminary short draft of the play. (3) It is one of the most garbled and corrupt texts among the "bad" quartos, only *Henry V* (1600) and *Hamlet*

(1603) sharing so great a degree of corruption with it. (4) It is not the basis of the larger and far better (though by no means perfect) text of the First Folio, nor is it the basis for the third quarto of 1630. (5) It is the basis for Thomas Pavier's reprint quarto of 1619. (6) It appears to have been based on a manuscript which also served as a source for the First Folio text. (7) It is not the longer play abbreviated for Court production or for provincial acting. (8) It may be

P. A. Daniel's "Introduction" to the Griggs facsimile (1888) of Quarto 1, W. W. Greg's critical reprint (1910) of Quarto 1, J. M. Robertson's *The Problem of "The Merry Wives of Windsor"* (1917), and A. W. Pollard and John Dover Wilson's "The 'Stolne and Surreptitious' Shakespearian Texts. *Merry Wives of Windsor* (1602)," (*The Times* [London] *Literary Supplement*, August 7, 1919, p. 420), John Dover Wilson's introduction to the text in the New Cambridge edition (1921), and

[DOCUMENT 159]

[STATIONERS' REGISTER ENTRIES FOR *THE MERRY WIVES OF WINDSOR*, 1602]*

| | [1602] | 18 Januarij | |
|-----------------|---|------------------------------|--|
| John Busby | Entred for his copie vnder the hand of master Seton / A booke called <i>An excellent and pleasant conceited comedie of Sir John ffaulstof and the merry wyves of Windesor</i> | vjd Conceited Commedie | |
| Arthure Johnson | Entred for his Copye by assignement from John Busbye, A booke Called <i>an excellent and pleasant conceyted Comedie of Sir John ffaulstafe and the mery wyves of Windsor</i> | vjd | |

* Edward Arber, *Transcript*, III, 199.

a reporter's inaccurate, uncertain, and garbled text: for the clumsy transpositions, meaningless inversions, gross defects, and many mutilations found in this quarto are not the things which characterize a text abbreviated for Court presentation but are rather the marks of inaccurate hearing on the part of a reporter in the more or less noisy Elizabethan public playhouse. (9) The stage directions are rather full and often rather descriptive of action. (10) Quarto 1 retains some oaths which are partially excised in the Folio version. There is no evidence that the original version of *The Merry Wives of Windsor* was by a hand other than Shakespeare's.

E. K. Chambers' *William Shakespeare* (I, 425-38) all contain much valuable material on the analysis of the text. But certainty as to many points is not yet possible. J. M. Robertson, in keeping with his theory of composite collaboration in each of Shakespeare's plays, argues for several hands in the first quarto text of *The Merry Wives of Windsor*. With Daniel ("Introduction," p. ix, to the Griggs facsimile), it is difficult to agree: "The true origin of the Q I believe to be as follows:—The play was first shortened for stage presentation: to the performance the literary hack, employed by the stationer to obtain a copy, resorted with his notebook. Perhaps he managed to take

down some portions of the dialogue pretty accurately in short-hand, or obtained them by the assistance of some of the people connected with the theatre; but for the larger portion of the play it seems evident he must have relied on his notes and memory only, and have clothed with his own words the bare ideas which he had stolen." Greg, who finds more than one revision in the play, asserts that the reporter, almost certainly the actor who played the Host, reconstructed the play from memory; for the most part, the Host's lines are in more than common agreement with that of the First Folio text, whereas Act v, in which the Host does not appear at all, shows the maximum

a martyr, and this is not the man. My tongue is weary; when my legs are too, I will bid you good night; and so kneel down before you, but, indeed, to pray for the Queen." From this, it is evident that "fat meat" and "Sir John" refer definitely to Sir John Falstaff of *Henry IV*. The play thus foreshadowed, however, obviously was to be one in which there would be "fair Katherine of France," who certainly does not appear in *The Merry Wives of Windsor* but does in *Henry V*. There is no woman character of any sort in *The Merry Wives of Windsor* resembling even remotely the "fair Katherine of France." Whether or not Shakespeare actually intended to put Jack

says: "this disappointment probably inclined Queen Elizabeth to command the poet to produce him once again, and to show him in love or courtship." There is no evidence for or against this tradition which one would like to accept as fact.

To John Dennis (1702), Nicholas Rowe (1710), and Charles Gildon (1710) is attributed the present popular belief that Shakespeare wrote *The Merry Wives of Windsor* at the special request of Queen Elizabeth. In 1702, John Dennis (1657-1734) wrote and published *The Comical Gallant: Or the Amours of Sir John Falstaffe* in the hope of provoking attendance by reviving Falstaff before an early eighteenth-century audience. This rather poor adaptation was a stage failure; but in 1704 Betterton revived the character by staging the original *The Merry Wives of Windsor*. In John Dennis' dedication of his version of the play to George Granville, he put into print, for the first time, the following: "I knew very well that it had pleased one of the greatest queens that ever was in the world, . . . This comedy was written at her command, and by her direction, and she was so eager to see it acted, that she commanded it to be finished in fourteen days; and was afterwards, as tradition tells us, very well pleased at the representation." Dennis gives no hint of the source of his knowledge of the "tradition." The seventeenth century has to date revealed no such tradition. Was it a subtle romantic invention of Dennis' designed to promote the popularity of his own version of the play? Rowe obviously, in his "Life" (published in his edition, 1710, I, viii-ix), enlarged the tradition a bit: "She was so well pleas'd with that admirable Character of *Falstaff* in the two Parts of *Henry the Fourth*, that she commanded him to continue it for one Play more, and to shew him in Love. This is said to be the Occasion of his writing *The Merry Wives of Windsor*. How well she was obeyed, the play itself is an admirable proof." In 1710, Gildon, in his *Remarks on the Plays of Shakespear* (published in

[DOCUMENT 160]

[TITLE PAGE OF THE PAVIER QUARTO OF *THE MERRY WIVES OF WINDSOR*, 1619]

A / Most pleasant and excellent conceited Comedy, / of Sir John Falstaffe, and the / merry Wives of Windsor. / With the swaggering vaine of Ancient Pistoll, and Corporall Nym. / Written by W. SHAKESPEARE. [William Jaggard's printer's device]* Printed for Arthur Johnson, 1619.

* R. B. McKerrow, *Printers' and Publishers' Devices*, 1913, No. 283.

divergence from the Folio text. Shakespearean scholars are awaiting additional light in the matter of Quarto 1 and its text.

The evidence supporting the thesis that *The Merry Wives of Windsor* was written as a result of the popularity of Jack Falstaff in 1 *Henry IV* and 2 *Henry IV* and in obedience to a royal command from Queen Elizabeth is not the sort that judicial scholarship, in all respects, can accept too seriously. In the epilogue to 1 *Henry IV*, Shakespeare clearly says: "One word more, I beseech you. If you be not too much cloy'd with fat meat, our humble author will continue the story, with Sir John in it, and make you merry with fair Katherine of France; where, for anything I know, Falstaff shall die of a sweat, unless already 'a be kill'd with your hard opinions; for Oldcastle died

Falstaff into *Henry V* and then, for reasons now not known, changed his mind and featured him again in *The Merry Wives of Windsor*, let it be kept in mind that the title page of Quarto 1 emphasizes not the Wives but rather the "Most pleasaunt and excellent conceited Comedie of Syr Iohn Falstaffe" and the 1619 (Pavier) version did likewise. The obvious emphasis upon Falstaff on the title page and also in the play itself makes it virtually certain that *The Merry Wives of Windsor* was intended to feature once more before the London Public so excellent a drawing card as "the fat knight." Yet it is clear that Shakespeare did not carry on in *Henry V* as the epilogue at the close of Part II of *Henry IV* indicated. Even so astute a Shakespearean student as Samuel Johnson, in part, accepted the mistaken tradition, for he

Rowe's edition, VII, 291), elaborated still more: "The *Fairys*, in the fifth Act, make a Handsome Complement to the Queen in her Palace of *Windsor*, who had oblig'd him to write a Play of *Sir John Falstaff* in Love, and which I am very well assured he perform'd in a Fortnight; a prodigious Thing, when all is so well contriv'd, and carry'd on without the least Confusion." Scholars cannot take this "tradition" as indisputable fact. And yet it must be remembered that the title page of the first quarto asserts of this play: "As it hath bene diuers times Acted by the right Honorable my Lord Chamberlaine's seruants. Both before her Maicstie, and else-where." And in defense of the "tradition" E. K. Chambers (*William Shakespeare*, I, 434) says: "I think we may accept the story of Elizabeth's request, and suppose it motived by Shakespeare's failure to redeem in *Henry V* the promise of a re-introduction of Falstaff suggested by the epilogue to 2 *Henry IV*."

E. Another Shakespeare tradition may well be dealt with at this juncture. The Fulman-Davies MS xv (Corpus Christi College MS 309, Oxford), No. 7, p. 22, is the first written source (between 1688 and 1707) for the tradition that William Shakespeare poached deer from Sir Thomas Lucy's deer park at Charlecote and that as a result Sir Thomas prosecuted the youth, who, in consequence, later lampooned and satirized him as Mr. Justice Shallow in *The Merry Wives of Windsor*. Since the material of the document is not infrequently given inaccurately, a transcript from the original document in the library of Corpus Christi College at Oxford is here provided as Document 161. Two handwritings are in the document: the first is that of the Rev. William Fulman, here printed in ordinary type; the second is that of the Rev. Richard Davies, here printed in italics.

The Fulman-Davies manuscripts, twenty-five volumes of somewhat irregular octavo size, were given to Corpus Christi College in 1707 by one Woods, executor of the Richard Davies estate. Volumes I-IV deal with civil

and religious history; Volumes V-VI concern themselves with monastic records; Volumes VII-VIII have to do with Oxford University as a whole; Volumes IX-XI contain special information about Corpus Christi College, Fulman's own beloved alma mater; Volumes XII-XV contain brief biographical notices of celebrities like this one of William Shakespeare; Volumes XVI-XVIII are devoted to theologi-

to William Fulman: (1) he was a divine; (2) a compiler of notes, etc.; (3) in 1648 became a scholar at Corpus Christi College, Oxford; (4) in 1648 was expelled; (5) in 1660 was reinstated; (6) in 1669 accepted the College living at Maisey-Hampton, Gloucestershire; (7) in 1688, June 28, died in this service at Gloucestershire.¹ Fulman's manuscript notes and papers passed to the Rev. Richard Davies' possession "to

[DOCUMENT 161]

[THE TRADITION CONCERNING SHAKESPEARE'S
DEERSTEALING, ca. 1688]

7. William Shakespeare.

William Shakespeare was born at Stratford upon Avon in Warwickshire about 1563.4.
*much given to all unluckinesse in stealing venison &
Rabbits particularly from Sr Lucy who had him
oft whipt & sometimes Imprisoned & at last made Him
fly his native Country to his great Advancem^t. but
His reveng was so great that he is his Justice Clodpate
and calls him a great man & y^t in allusion to his name bore three
lowses rampant for his Arms*

From an Actor of Playes, he became a Composer

Ætat. 53.

He dyed Apr. 23. 1616. probably at Stratford,
for there he is buried, and hath a Monument on
*W^c He lays a Heavy curse upon any one
who shal remoove his bones* He dyed a papist.

Dugd[ale].
p. 520

cal matters; Volume XIX is given to transcripts of miscellaneous verses; and Volumes XX-XXV contain miscellaneous memoranda. Three times in the volumes the name William Shakespeare appears: (1) page 22 of the manuscript (xv, No. 7) contains the important material transcribed above; the other entries concern (2) the date and place of the publication of *The Passionate Pilgrim*, and (3) the fact that a collection of one hundred and fifty-four *Sonnets*, together with *A Lover's Complaint*, were published in 1609.

The following facts are on record as

digest and classify." Wood² had two disputes with Davies and complains³ about not being able to use the Fulman materials: "All which being afterwards conveyed to C. C. coll. to be, according to his desire, put into the archives of the library of that house, what had it been for those that had the care, to have permitted the author of this work the perusal of them, when they could not

¹ See Anthony à Wood's *Life and Times*, edited for the Oxford Historical Society by Andrew Clark, 1894, III, 270.

² *Op. cit.*, III, 408.

³ *Athenae Oxonienses*, 1820, IV, col. 242.

otherwise but know that they would have been serviceable to him in the promotion of this work, then almost ready for the press?"

Similar items as to Richard Davies are: (1) he was a divine; (2) a compiler of notes, etc.; (3) little is known of his younger years and training, but he does not seem to have been a Corpus Christi College man; (4) in 1695, March 5, became rector of Sapperton, Gloucestershire; (5) on July 19, 1703, became Archdeacon of Coventry in the diocese of Lichfield; (6) in 1708, July 26, was buried at Sapperton; (7) the present rector of Sapperton, Mr. W. C. Davies, appears to be a descendant. (See E. K. Chambers' *William Shakespeare*, II, 255-57, for problematic details of both Fulman and Davies.)

A type facsimile of the Fulman-Davies manuscript appears in Sir E. K. Chambers' *William Shakespeare* (1930) p. 257 (insert), Volume II. And a good facsimile from a photograph of the document is in Clara Longworth de Chambrun's *Shakespeare Rediscovered* (1938), Plate III.

The Aubrey MS (Bodleian) 6, folio 109^r of 1681 does not mention the deer-stealing tradition. Rowe, however, in his "Life" (I, v), enlarges the story: "In this kind of Settlement [Shakespeare's married life] he continu'd for some time, till an Extravagance that he was guilty of, forc'd him both out of his Country and that way of Living which he had taken up; . . . He had, by a Misfortune common enough to young Fellows, fallen into ill Company, and amongst them, some that made a frequent practice of Deer-stealing engag'd him with them more than once in robbing a Park that belong'd to Sir Thomas Lucy, of Cherlecot, near Stratford. For this he was prosecuted by that gentleman, as he thought, somewhat too severely; and in order to revenge that ill Usage, he made a Ballad upon him. And tho' this, probably the first Essay of his Poetry, be lost, yet it is said to have been so very bitter, that it redoubled the Prosecution against him to that degree, that he was oblig'd to leave his Business and Family in Warwick-

shire for some time, and shelter himself in London." Later Rowe (I, xviii) continues: "Amongst other Extravagancies, in *The Merry Wives of Windsor* he has made him a Deer-stealer, that he might at the same time remember his Warwickshire Prosecutor, under the name of Justice Shallow; he has given him very near the same Coat of Arms which Dugdale in his *Antiquities of that Country*, describes for a Family there, and makes the *Welsh* parson descant very unpleasantly upon 'em."

For too long a time the tradition was accepted by the populace and even by some scholars. Indeed, the tradition grew to include the following assertions: (1) he stole the deer to celebrate his marriage with Anne Hathaway; (2) no less a person than Queen Elizabeth secured his release from prison; (3) the Earl of Leicester, to whom Lucy was hostile, took the part of young Shakespeare; (4) the very barn (at Fulbrooke) where he was incarcerated was located; (5) the very ballad which the youthful Shakespeare spiked to the gate of Sir Thomas Lucy at Charlecote was discovered. That the Library was an eighteenth-century forgery, probably by John Jordan, may be accepted without further question. Moreover, Fulbrooke was not, at the time during Elizabeth's reign (1603), in possession of the Lucy family.

As to whether or not William Shakespeare poached deer from the deer park of Sir Thomas Lucy, certain facts are important: First, G. G. Greenwood (*The Shakespeare Problem Restated*, 1908, p. 23) correctly states that deer were *ferae naturae*, hence not the subject of larceny at common law. Roe deer, though not fallow deer, were included in the beasts of warren,⁴ that is, were the public property, so to speak, of the Crown and not private property of the individual—just as rabbits and quail are public property in America and not private property of the owner

of the farm or ranch on which habitually they may eke out an existence. Second, "formerly," says A. C. Fox-Davies in his *Complete Guide to Heraldry* (1929, p. 73), "no man might hunt even on his own estate until he had licence of free warren from the Crown. Consequently he merely hunted by the pleasure of the Crown, taking part in what was exclusively a Royal sport, by Royal permission, and for this Royal sport he wore the King's livery of scarlet." Thus to take deer in a warren, without permission, was an offense against the Crown and not against the local owner of a given property. Third, the game law of 5 Elizabeth, 1562 (*Statutes at Large*, c. xxi) provided not for whipping as a punishment but for imprisonment. Fourth, a Royal Patent, granted by the Crown, was requisite to the installing of a deer park. Fifth, if deer were not in an enclosure as granted by Royal Patent and as protected by law, any foray upon them would have been no more than a trespass, which would have been remedied by local civil action in which neither whipping nor imprisonment would have been the punishment.

But the important fact is that Sir Thomas Lucy, who died in 1601, did not have a deer park at Charlecote: there is no Royal Patent for a deer park for Sir Thomas Lucy in existence. John Leland in his *Itinerary* (1549) makes no mention of a deer warren at Charlecote, nor do the maps of the neighborhood of Charlecote and Warwickshire of the time of Sir Thomas Lucy indicate any deer warren at that place (see chapter viii, p. 95). It was not before the eighteenth century that such a Patent was issued to the Lucys for a deer park at Charlecote. Most certainly—if the young man ran true to form among lads of his day—William Shakespeare poached deer; but he did not poach them from the deer enclosure of Sir Thomas Lucy.⁵

Shakespearean scholars will be interested in the fact that one who stole deer from a deer warren, and hence com-

⁴ Certainly in 1339, it was so decided: See G. J. Turner's *Select Pleas of the Forest* (1910), x, as taken from a decision of King's Bench: "Caprioli sunt bestiae de warennia et non de foresta eo quod jugant alias feras de foresta."

⁵ See Leslie Hotson's *Shakespeare versus Shallow*, 1931.

mitted an offense against the Crown, when found guilty, took oath of abjuring his own native land and was exiled. From Folger MS 1068.1, folio 102^r, "The General Booke of oathes both auntient and modern,"⁶ the following is transcribed:

"The oath of such as are conuicted for stealing y^e kings venison and therefore ordered to abjure the land.

Maister Crouner heare you this that I haue offended our soueraigne lord the kinge in his venison for w^{ch} cause I abjure the Realme of England and heereafter shall neuer retorne into it againe w^{thout} the leaue of oure said soueraigne Lord the kinge: so God me help and y^e holie Saintes."

If William Shakespeare poached deer from a deer park authorized by Royal Patent, thus committing an offense against the Crown, and took the oath of abjuration here given, it is strange that the biographical tradition does not give at least a hint of it.

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